



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
SECOND SESSION
1999

LEGISLATIVE COUNCIL

Thursday, 1 July 1999

Legislative Council

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THE PRESIDENT (Hon George Cash) took the Chair at 11.00 am, and read prayers.

STANDING COMMITTEE ON CONSTITUTIONAL AFFAIRS

Petition Concerning Waste in the Area of Bird and Jackson Roads, Mundijong

Hon Murray Nixon presented the thirty-seventh report of the Standing Committee on Constitutional Affairs in relation to a petition objecting to the practice of landfilling with demolition waste in the area of Bird and Jackson Roads in Mundijong, and on his motion it was resolved -

That the report do lie upon the Table and be printed.

[See paper No 1200.]

REGIONAL SCHOOL TEACHERS

Motion

Resumed from 30 June on the following motion -

That the Minister for Education ensures that the Government can fulfil its fundamental obligation to provide sufficient teachers to fully staff regional schools by -

- (1) reviewing conditions faced by country teachers; and
- (2) revising the minister's country incentive package for teachers.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [11.04 am]: When this debate was interrupted yesterday I was indicating to the House at which country schools and in which regions in Western Australia teaching vacancies exist. The figures to which I was referring were as at 28 May 1999 and show that there were 22.8 full-time equivalent teaching vacancies in country schools. Of that number, eight were vacancies for primary teachers and the others were specialist secondary teachers. I am also advised that all vacancies are being covered by relief teachers or internal relief. Nobody would argue that that is not a good thing. However, in the overall scheme of things that is not a bad record and there is no problem of children not having teachers in front of classes within Western Australia.

The Government is examining a number of other options to seek to improve the prospects of teachers going to country schools bearing in mind, as I said yesterday, this has always been a problem within the Education Department and has been dealt with in various ways over time. An example of an initiative with which the Government is proceeding is the decision last year to introduce a teaching scholarships program valued at approximately \$1m over four years. This program offers 30 scholarships a year to young talented school leavers to study teaching at one of our universities. On graduation they are offered a job by the Education Department. The scholarship covers the student's higher education contribution scheme fees and last year up to 10 scholarships were offered to young Aboriginal students. This year the program has been expanded to 40 scholarships including 10 scholarships to Aboriginal people.

The Government is investigating some ideas to extend this scholarship scheme to attract more qualified school leavers to the teaching profession. One idea that is well worth pursuing is that of targeting additional scholarships at graduates who are prepared to make a three-year commitment to teaching in remote areas. Their HECS fees would be returned in exchange for a three-year service in the country. That is a sensible proposition. It could also be extended to other professional service providers in country areas such as doctors and nurses. That would be a financial incentive for people to reside in the country for a period.

That program would target students from remote and regional areas because often people brought up in the country are happy to go back and work there. We should take that into account more often than we do now. Another idea is that the recipients of the scholarships spend their first year in a large school in the metropolitan area to take advantage of the expertise available in those schools before taking up a position in a rural or remote school. It has always been my view that we should have a better balance of experienced and less experienced people in all schools. At present country schools generally receive teachers with no experience but plenty of enthusiasm, while city schools have experienced teachers some of whom have regrettably lost their initial enthusiasm. We need a system in place that will ensure a balance of experienced and inexperienced teachers in all our schools. If we must accept that there are people lacking in enthusiasm, they should at least be balanced by people in the same school with enthusiasm

Hon Greg Smith interjected.

Hon N.F. MOORE: It does not want any change, but I do not want to talk about what it says about things.

Hon Ljiljanna Ravlich: So sit down and shut up.

Hon N.F. MOORE: We have listened to Hon Ljiljanna Ravlich for three years, and I am getting a bit tired of it.

Hon Ljiljanna Ravlich: I wasn't referring to you; I meant Hon Greg Smith. It has only been two years.

Hon N.F. MOORE: It just seems like three years.

Hon Ljiljanna Ravlich: Are you counting?

The PRESIDENT: Order! I am counting and we are getting too many interjections.

Hon N.F. MOORE: If it is any help to the member, we are certainly prepared to assist her in any preselection battle for an Assembly seat! However, I am not sure how I can be of any assistance in that respect. If the member thinks I can, I am prepared to do that! It is only fair that members of the Assembly should be given the opportunity to benefit from the presence of the member in their midst. They should let us know if we can do anything to help them.

Hon Bob Thomas: Do you want help in the seat of Mitchell?

Hon N.F. MOORE: Hon Bob Thomas is quite a pleasant gentleman in this House and does not cause any trouble, so he may as well stay here. It is also important for the Education Department to enter into meaningful discussions with the universities about the content and structure of their teaching courses. It is always easy to say that back in the good old days teachers colleges delivered a certain type of person into the teaching profession. We have gone from one end of the spectrum of teachers colleges training all teachers to the other end where all the training is done by universities. We need to introduce the benefits of the teachers college system into the education faculties in our universities.

One of the benefits of the teachers college system was that students attending a college would be trained for the whole of the job and not just the academic requirements of being a teacher. They were taught how to go about living in country towns and all the other things in society that were in those days expected of teachers. It has probably become more academic now that universities are responsible for teacher education. It is important that all students who are undertaking education courses in universities should do some country practice. Again back in the "good old days" the majority of students at teachers colleges did at least one country practice during their training. One of the good things about that was that many city students who had never spent time in the country had an opportunity to experience country life, and many found it was agreeable and were happy to go to country schools as a result of that practice. I hope we can do more to ensure that the universities are better able to provide a broader range of information and advice to education students than they do at the present time.

Another area which has been a problem for as long as I can remember is teacher housing. The quality of housing for government employees in the country has been inadequate - probably ever since there has been housing for government employees in the country. The Government has tried to improve the quality and the amenity of teacher housing in the country. To a large extent that has been achieved in many parts of regional Western Australia, but we still have a long way to go. It is expected that \$43m will be spent by the Government Employees Housing Authority to provide approximately 300 new properties for teachers. In most cases these will replace old GEHA accommodation. GEHA's strategy is to encourage the private sector to build houses in country towns and then to lease them to the Government or to sell them to individuals who will lease them to the Government for a subsidised rate. For example, I was in Broome recently and was shown by a real estate agent some houses that were for sale that were built by the private sector but leased by GEHA. The people who buy them are guaranteed the rent, which is significantly higher than the tenant will pay for 10 or 15 years.

Hon Ljiljanna Ravlich: Are you going to lease houses?

Hon N.F. MOORE: No. I gave the example where a private investor can buy a house in Broome for the market price. GEHA will then give that person a guaranteed lease for, say, 10 or 15 years. GEHA will guarantee the owner of the house a certain return, which is significantly greater than the rent being paid by the tenant. Private capital will go into building houses and tenants are still being provided with subsidised rent, but are getting better accommodation. Hon Ljiljanna Ravlich may be looking for a good investment around regional Western Australia to spend some of her hard-earned cash.

Hon Mark Nevill: The problem is that one's garden dies over the summer when no-one is there to water it.

Hon N.F. MOORE: I would not say that about teachers. However, it has been suggested that one can tell where teachers live in country towns by walking around in summer and seeing which gardens have died. That sort of problem will be partly overcome by private ownership of houses and that will ensure that those things are looked after during summer. It is an issue that the Government is seeking to address. It is not something that is brand new. It has been a problem ever since I can remember.

The member made a number of general comments about the difficulty of attracting people to teaching full stop, and she digressed slightly from the problem of country incentives. From a personal observation, if the union that represents a group of workers and other people involved in an occupation spends all its time telling the whole world how awful the situation is, it only stands to reason that people thinking about entering that occupation will come to hear about it. I do not think it helps either when politicians spend a lot of time describing circumstances in an occupation as being so terrible and awful that nobody in their right mind should consider being part of it. For as long as I can remember the State School Teachers Union of WA has continually and aggressively complained about the conditions under which teachers operate. When I listen to young people talking about the sort of occupation they will go into I hear them say they will not go into teaching because it is such an awful job. When I ask how they know that, they say that they read about it all the time. The representatives of this profession seem to have a view that the more one complains and denigrates the conditions under which teachers operate, somehow it will get better. It does not. The ongoing inability of Governments of any persuasion to satisfy teachers unions anywhere in the world is such that there will always be people complaining about the conditions under which teachers operate.

Hon Ljiljanna Ravlich: If it was so good why aren't you still there?

Hon N.F. MOORE: I chose another profession for the same reasons as Hon Ljiljanna Ravlich.

Hon Ljiljanna Ravlich: I did not think it was particularly good.

[COUNCIL]

Hon N.F. MOORE: I would not be at all unhappy about being a teacher again. I have a view about the education profession. I spent a bit of time trying to enhance the professionalism of teaching. It is an inherent contradiction to claim that teaching is a profession when the organisation representing its interests and making public comment about it is a union which is more radical than most other unions in the community.

Hon Ljiljanna Ravlich: What is the difference between a teachers union and employer associations? It is a stupid argument.

Hon N.F. MOORE: Hon Ljiljanna Ravlich will not know because she comes from the Dark Ages on this. This is not peculiar to Western Australia. Teachers unions all around the world have done the same thing for many years. It is ironic that one finds a Labour Government in the United Kingdom under Tony Blair trying to enhance the professionalism of teaching and coming up against the same old entrenched conservatism which is the hallmark of teachers unions.

Hon Ken Travers: That sounds like a good reason to settle disputes quickly in the profession.

Hon N.F. MOORE: I would like to. I went through a dispute, as the member knows.

Hon Ken Travers: A very long one.

Hon N.F. MOORE: Yes. That was because the position put was, "We want a 20 per cent pay rise now." The chant in marches is something like, "What do we want? When do we want it?" I do not know; I do not go to marches very often. The proposal was for a 20 per cent pay rise straight away with no trade-offs. At that time, it was the Government's policy that pay rises be in response to productivity trade-offs. That was also the policy of the previous federal Labor Government, and the approach of the federal Industrial Relations Commission. One of the great ironies of the dispute with which I was involved was that it never reached resolution in the federal jurisdiction. The State Government's position was that teachers' salaries and conditions were matters for the state Industrial Relations Commission, which was taking a far more generous view of the world than was the federal commission. It almost reached the stage that the federal commission was to arbitrate on the issue. If it had, I suspect that teachers would have received a substantially reduced pay rise than the one they eventually received.

If one wants to be a professional and belong to a profession, industrial action should not be the only means by which one gets what one wants. Teaching is one of the few professions which takes this action. One does not find engineers, doctors, lawyers, accountants and people in other professions striking for better wages and conditions. Teachers are unique in that the vast majority of them work for government. It is a problem which I acknowledge.

Hon Mark Nevill: It is the same with nurses.

Hon N.F. MOORE: Yes. Until a range of employers is involved, it makes it more difficult. An accountant working for a private firm can negotiate with the employer for desirable conditions of work, and can go elsewhere to get a better deal if necessary. Teachers do not have a lot of choice.

I began work on creating a centre for professional excellence in teaching. It has started, but still has a long way to go. This organisation will represent the professional interests of teachers, which at times are at odds with the industrial interests of teachers. It is necessary for the community to sort out that aspect; otherwise, we will continue to have difficulties in this area. Nevertheless, that is another story for another day.

It is not conducive to encouraging young people to go into teaching if all they hear from people in the profession is that teaching is an awful job. I have children who are at the age of looking for future occupations. My daughter is in year 12. I asked her whether she had thought about teaching. She said, "No way in the world; it's an awful job." I asked why she said that, and she replied that everything she hears about it is awful. She said that her teachers were okay, but generally speaking she knew that the profession is not one she wants to enter. Before unions and politicians get stuck into the profession, they should consider that the collective vitriol that they churn into the media denigrates the profession.

Hon Ken Travers: Surely your daughter would have got views on the teaching profession from the dining room table.

Hon N.F. MOORE: The member does not understand that my wife is a highly professional educator. She is the most enthusiastic teacher I know, having been in the business for a length of time which I thought may have dulled her enthusiasm. She is a dynamic and enthusiastic teacher who lives and breathes for her children and school. I had the same attitude when I was teacher. I still believe that teaching is a very honourable profession. It is the most fundamental profession; that is, without good teachers, we do not get good doctors, accountants, lawyers and other professions. We desperately need to enhance the professionalism of teaching.

Hon Mark Nevill: Get a few men back in there.

Hon N.F. MOORE: Ask young men in schools why they will not be teaching. I am sure the member has done so. They say, "It's not a place for me, mate. There's no money and you have to go to the bush. It is all about putting up with kids in schools."

Hon Ljiljanna Ravlich: You are now saying something different. You're telling the truth for a change.

The PRESIDENT: Order!

Hon N.F. MOORE: I resent that remark, Mr President. I endeavour to tell the truth all the time. I tell the member who brought on this matter through the important motion under debate that we have a problem in our society with the professionalism of teaching. We must sort it out. The answer is not people like the member's diatribe of all the reasons why not to be a teacher. That does not help at all.

Hon Ljiljanna Ravlich: You do not want me to bring the issue to Parliament. Why?

Hon N.F. MOORE: Hon Ljiljanna Ravlich is not the first to raise the matter. The member thinks she is unique and the first person to have thought about this issue. I refer to politicians collectively who for many years tried to score a political point or two by getting stuck into the education system. It does not help.

Hon Ken Travers: And you have never done that?

Hon N.F. MOORE: I have criticised a number of things - I am as guilty as anyone else. We do the profession no good by continuing to criticise it. There is no reason for not criticising the Government for not providing housing - I agree with that - and other facilities which are important to encourage people to go to country schools. At the same time, it would be a good idea to talk about teaching as a good job, with the good it does for the community and children. One may not become very rich through teaching - not many professions these days do that - but one can obtain huge satisfaction from the contribution made to the lives of many children who come across one's path. The member's motion calls for the Government to fulfil its fundamental obligation to provide sufficient teachers to fully staff regional schools. That has been largely achieved by the Government.

Hon Ljiljanna Ravlich: We want it achieved 100 per cent.

Hon N.F. MOORE: I do not disagree. I have been through why this year is unique, which the member has refused to acknowledge as it does not suit her argument. As I said, I am pleased I was not Hon Ljiljanna Ravlich's teacher as I would have gone grey prematurely!

Hon Ljiljanna Ravlich: You would have loved it!

Hon N.F. MOORE: I can imagine what an appalling student she would have been.

The PRESIDENT: Order! If Hon Ljiljanna Ravlich makes a note of the points raised in debate, she can address them in due course in her reply. She cannot jump the gun and have the right of reply through 50 different interjections.

Hon N.F. MOORE: I explained to the member that about half the normal number of student teachers graduated this year. There were 22 vacancies, eight of which were for primary school teachers, and the remainder were for specialists in the secondary sector. That is not unusual.

For reasons best known to students, fashions change about classes taken. We built schools for generations containing a manual arts and home economics centre. Everybody did manual arts and home economics so it was known that such teachers were needed. Things change and options change. The requirements for teachers change. We no longer need as many home economics and manual arts teachers. We need them in information technology, languages and areas in which students are provided options which were not available for countless generations in the education system. That puts pressure on the employing authority to ensure the right people are in the right place at the right time to deliver courses. It will always be a problem. I suspect that when the Labor Party is in government, it will have the same problems we experienced this year. Nevertheless, every class has a teacher in front of it. That is the fundamental obligation of the Government in this respect. As I said earlier, I imagine that when the training process, which has gone from three years to four years, returns to normal, the number of graduates will probably double next year, and that will make it easier to provide teachers where they are required. I went through a whole range of other reasons why there are some difficulties. This will be an ongoing problem for a long time.

The motion asks the Government to review conditions faced by country teachers. That has been done and is being done. The remote teaching package is in place. I acknowledge the comments made by Hon Tom Stephens in respect of that. It has been successful to a large extent. However, again, one cannot give any guarantees about every position in every school. The country teaching package is being negotiated. From what I have seen of it, it is a generous package in the context of the Government's capacity to pay huge dollars, bearing in mind of course that large numbers of teachers are involved in this, and when the Government starts giving people pay rises in large amounts, it has a substantial impact on the budget. However, that is in the process of being negotiated. I might add that it is the first time that any Government has been prepared to go down this path. That is not a response to an issue that is peculiar to this Government's term in office; it has been around ever since I can remember.

I also indicated that work has been done to improve teacher housing and to provide teacher training scholarships, and those scholarships may be aimed at ensuring that more teachers are inclined to go to country towns. I also mentioned that we should look in a bipartisan way, if that is at all possible, at the decisions of the Equal Opportunity Commission in respect of country service being a prerequisite for promotion. We need to examine that again, because decisions made in isolation often tend to ignore the reality of the situation we are in. I acknowledge, although I do not always agree, that teachers like to think that if they go to the country they can get back to the city some time in the future. It is a pity people feel that way, but I guess that is the nature of Western Australians.

The motion also asks that we revise the minister's country incentives package for teachers. I am sure that is an ongoing process. We are anxious to make sure that whatever package is put in place is, firstly, affordable and, secondly, meets the needs of those people who are looking for that sort of extra support.

I conclude by saying that this is a perennial, ongoing problem. I am not saying this because I happen to be in this Government, but I think this Government has done more to assist teachers going to country areas than any Government I know of in the past, including our own. Many of the initiatives we have taken have been well targeted and appropriate to the needs of the education system in Western Australia at the present time. That is not to say we have solved all the

[COUNCIL]

problems; clearly we have not. However, we can be reasonably satisfied that at least the intent is there and many efforts are being made to make sure we solve what has been a long-term problem. I do not think this motion needs to be agreed to, because I do not think it helps anything, other than to make a statement that the member wants to have on the record. The Government is doing the things she says it should do, and it will eventually achieve a great deal more than has ever been achieved in the past.

HON HELEN HODGSON (North Metropolitan) [11.33 am]: I too have had some experience of remote teaching - not from personal experience, but because I have a number of friends and family members who are teaching in some of these remote and rural areas. My parents have been teaching in various remote areas of this State since the early 1980s, and they are still located at Port Hedland. My basic comments stem from the matters that have been raised with me by my friends and family. It is interesting that this debate has drawn out a point of commonality between Hon Ljiljana Ravlich and Hon Norman Moore. I do not know if anyone else noticed, but they both admitted to spending some of their teaching service at Morawa. My connection with Morawa is that it was the first school I attended.

Basically, I acknowledge that the State Government is attempting to address some of the issues faced by remote and country teachers. It is important that we draw a distinction between the two, because there are two levels of incentives available for teachers in remote areas or country areas. The remote teaching service has been going for a little while, and there are financial incentives which have encouraged people to stay in some of the remote areas. The note I have here is one term with pay. I think that is an extra leave entitlement. Teachers in these areas receive subsidies and free electricity, water and rent in an attempt to make sure that they are willing to stay in some of the most remote of our communities. It is my understanding that those incentives are working fairly well.

Last year when I was in the Kimberley on committee business, I remember we visited one of the schools there and I talked to some of the teachers. They said that they had been able to settle into the community a little better and that there was some continuity provided, instead of the steady turnover of teachers every one or two years, because the remote teachers package provides some incentives. However, that is the remote teaching service. The real problem at the moment seems to be in the country areas rather than in the remote areas.

There are some problems with the package that is available at the moment. For a start, last year a promise was made of permanency, and that ensured that some teachers stayed where they were. However, it is my understanding that to date many of those teachers have not received any confirmation of that; contracts and letters have not yet been issued to those teachers confirming their permanency. That is one of the key things that teachers look for as an incentive, because with the teaching system being what it is and with promotional prospects and so on being what they are, permanency becomes an important factor.

The other issue that was raised with me is that the way in which the package is designed is that it relates to what are called difficult-to-staff schools, and that there are five criteria which are used in determining whether a school is difficult to staff. One of the issues that is taken into account specifically is the distance of the school from Perth, yet it has been put to me that that is often not related in any way to the ease of staffing a particular school. If one looks at some of our towns that have more than one school - for example, Carnarvon - there is a marked difference in the standing of East Carnarvon Primary School and Carnarvon Primary School. I know a teacher at one of those schools who has chosen to send her children to the other school because the difference between the environments of those two schools is so marked. One school can keep teachers; the other one cannot. Yet if one uses the criteria, the distance from Perth being a major factor, they are both given an equal weighting on that criterion.

That is something that was raised by the teachers reference groups that were set up in order to examine some of these issues and consider how to develop a country incentives scheme. These factors and the different weightings were raised, yet there is a belief among some of the teachers who participated in those reference groups that what is coming out of them does not reflect the true concerns of teachers.

Hon N.F. Moore: How would you make a criterion of the problems at East Carnarvon? You would get yourself into serious trouble if you tried to do that.

Hon HELEN HODGSON: I realise that. That is always a difficulty. However, then it comes down to how much weighting is put on the different criteria. Perhaps it needs to have more to do with the history of a school and the turnover of a school than its distance from Perth.

Hon N.F. Moore: I do not disagree with that, but if you try to identify what the particular problems are, you will find yourself getting into serious difficulty.

Hon HELEN HODGSON: Yes, and that is something that we must acknowledge and one of the reasons that this is such a difficult area to address. It will be found on objective criteria that some schools are more difficult to staff than others. The problem is that the rankings that they are afforded under the scheme being developed do not always match the practical experience of teachers and administrators working in those areas.

I also draw the attention of the House to an inquiry currently underway into rural and remote education, which is being undertaken by the Human Rights and Equal Opportunity Commission. That inquiry, by coincidence, was taking evidence in Perth in May of this year. It was at about the time that I had turned my attention to examining this issue. I was able to obtain copies of the transcripts of some of the evidence that was taken. The terms of reference for this inquiry were -

The Commission will inquire into the provision of education for children in rural and remote Australia with reference to -

the availability and accessibility of primary and secondary schooling

the quality of educational services, including technological support services

whether the education available to children with disabilities, indigenous children and children from diverse cultural, religious and linguistic backgrounds complies with their human rights.

Some issues raised by the terms of reference, which are relevant to this motion, include; funding models for education and related services, including transport and accommodation; teacher incentives, professional development and retention; the quality of distance education; and the quality of technological support for teaching and learning in rural and/or remote areas. It is good to see that work is being undertaken by HREOC which may assist this Government in developing proper models to ensure that teachers are encouraged to stay in country and remote areas. The evidence that I have is only the evidence of the Perth hearings because the evidence of the country hearings was not available when I obtained this. However, some of the issues that are particularly concerning to teachers in country areas are, firstly, how teacher transfers happen. Given the new equal opportunity ruling, it means that doing a country service does not give a teacher any real bonus points when it comes to finding a teaching position in the metropolitan area. Nothing is wrong with the principle of merit transfer; it is an excellent principle. However, the transfer points scheme does not always seem to work because it depends on positions becoming available. How is it decided among the various teachers who have the same number of transfer points who will get a guernsey and be transferred to metropolitan Perth? That in itself would not be such a problem except some people settle into a community and are happy to do that and they enjoy the life in that community. However, teachers must consider professional issues when they are making that decision.

One of the issues that is raised in the evidence before the committee is the question of professional isolation. The witness, David Kelly, said that gaining access to technology to allow a person to plug into some course in some distant place was more difficult if he was working from a country or a remote area. It is all well and good to say that technology is now becoming more available, but additional costs are involved with that and those costs sometimes cause serious problems for people who are trying to use this technology to retain their professional standing. The issue of permanency was raised before the committee. This has resulted in teachers leaving the country because under the old system they had a reasonable expectation that they would access permanency. I understand that the Government is addressing that issue, but it is very prominent in the mind of teachers. The question of continuity of teachers arises and the relationship that they have formed with their students. Mr Kelly said that continuity and relationship building could not take place because of this and the patchwork fixing of the problem, the short term nature of it, did not address quality education issues for students. Everybody would acknowledge that for a teacher to develop an effective relationship with their pupils, some sort of understanding and relationship must develop. When a short turnover of staff occurs, it is very hard to build those relationships.

Questions were raised in respect of the third HREOC inquiry in the terms of reference about children with disabilities and certain backgrounds because of the difficulties in ensuring that enough teachers are trained in those specific areas to be able to provide that service to students. It is an issue when itinerant teachers are involved. Mr Kelly testified to a teacher in the south west who teaches across 11 different schools in one week, organises two bands, and is only in a temporary position. Teachers are raising many issues and I like to think that hopefully we will have some outcomes from this HREOC committee that can feed into the government process to deal with some of these issues. The final comment from the committee evidence is that Mr Kelly said specifically, "The real poor cousins in the country at the present time, when we're talking about equity issues for education, are those types of places like Carnarvon, and Mullewa, Morawa"; those places which can access what one would call regional centres because teachers will not go there and stay there. That causes real problems in the delivery of education. It is not an easy issue and it is not one that I have any easy solutions for. I acknowledge that the Government is attempting to address these issues, but I question whether the remedies being considered go to the core of the problem. I think perhaps teachers should be more closely involved in establishing these new policies because there is definitely a feeling that the input that they have had is not being reflected in the outcomes that are being made available. We must look at what teachers are really looking for in terms of professional development and career opportunities and ensure that that becomes more accessible to them as part of the process of encouraging them to stay in these remote and country schools because, ultimately, we are looking for an outcome that delivers a good quality education to all of our children, no matter where in this State they may be living.

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [11.47 am]: I express my appreciation for the motion moved by Hon Ljiljana Ravlich which provides this House with a chance to put on the record how important it is that the Government has in place strategies to tackle the school needs of all of Western Australia, including remote, regional and country schools, and the students attending those schools having available to them a teaching service that meets their needs; as well to ensure that the teaching profession has the support of Government to respond to their rights as workers for the community through a government provided service, a right to appropriate levels of remuneration, and an acceptance of their entitlement to adequate accommodation, adequate school conditions, adequate working conditions, and appropriate levels of professional development and support in the environments in which they work.

I am very appreciative of the detail the Leader of the House provided in his response. If I may interject to the Leader of the House -

Hon N.F. Moore: You do not have to interject on me, you are making the speech

Hon TOM STEPHENS: I am interjecting on the leader's conversation with one of my parliamentary colleagues.

Hon Norm Kelly: Deputy leader.

[COUNCIL]

Hon TOM STEPHENS: A new-found coalition between the Democrats and the Government. If it is opportune - and maybe the Leader of the House could check - for the briefing note supplied by the Minister for Education to be passed on to the Opposition, I would appreciate an opportunity to study it in more detail.

Hon N.F. Moore: I will find out.

Hon TOM STEPHENS: Thank you. I tell the Government through the leader that one would have to sing the praises of much of what the Leader of the House said. Despite our being in Opposition, some things being done by this Government in this area are commendable.

Hon N.D. Griffiths: They are taking up our policies.

Hon TOM STEPHENS: Indeed. One of the difficulties of being in Opposition is one commends a range of strategies to Government and when the Government embraces those strategies, it takes the wind out of the Opposition's sails. However, the Government has done some things in this area which deserve support, commendation and recognition. Recognising that reality makes the task of Opposition all the more challenging. Things which have been done in this field are worthy of support but there is so much more that needs to be done.

I will deal with the remote teaching package which has tackled the issue of teachers working in remote schools. It has given them the opportunity to make teaching in those remote schools very financially rewarding. There is now a rush of teaching professionals to those environments. By and large, those schools are receiving an overabundance of applicants for many but not all of their positions. Some remote schools in the western desert communities have continued to experience difficulties in getting principals, deputies and staff. However, there is another issue here. Remuneration and getting teachers into these schools is not the only essential issue; there is also the issue of ensuring that teachers are attracted to these areas for all of the right reasons. Remuneration is a good reason but it is not the only one. The Government and the community have a task to recognise the extraordinary challenge of being a teacher and educator in those remote locations. As a professional I would want to be working at the cutting edge of any profession. If I was an astrophysicist, I would want to work on black holes, the "worms" in space as they are called. I would want to know that I was working at the cutting edge of the profession - the most challenging area.

If I was working as a teacher, there would be nothing more challenging for me than those remote schools and working for the Aboriginal communities of this State. These are typically the areas where the remote school packages come into effect. It is such an intellectual, professional challenge that it requires the very best of an educator to rise to it and deliver his best. This challenge deserves to be well recompensed but we need to ensure that the people going to those locations understand that the package is in place to enable them to give their best, to rise to the challenge and to deliver the best educational programs the community can make available. The needs in these areas are very great. The State's school programs, higher education and training opportunities are essential to help these sections of the community, so significantly in need, to participate in the economic advancement of our community. This opportunity is fundamental to all our success; it will allow these communities to participate in the benefits of being part of the Western Australian community. That is why these teaching professionals need to be well remunerated and attracted into those environments for the best of professional reasons.

On top of that, we have the challenges of the country schools, the schools which are hard to staff - locations like Wyndham, Derby and Mt Magnet - which have not yet gained the benefits of additional government packages yet so desperately need them. A package of government support is needed for the professionals moving into those environments. It must respond to the educational challenges of those communities and the fact that those populations need our best, so those locations can also be served by schools which make their communities attractive places to be and appropriate places to raise and educate children. I am sure there are many locations in the agricultural region like the ones I have just mentioned which need this type of program.

I am pleased to hear that the Government recognises the advantages of teaching scholarships because once Governments move down the path of higher education fees, some people in financial need who have intellectual strengths and top academic qualifications might not be able to go on to higher education because of the fee problem. The Government could do for the teaching profession what was done historically and expand this program to open a window of opportunity for people in financial need who have academic skill and intellectual strengths. This program could attract those people to this profession. I commend the Government for that program and would like to see it expanded to respond to the new reality dogging higher education.

The introduction of fees has been a disincentive for many in the community who are competent and have the necessary academic skill and aptitude but not the financial wherewithal to move into higher education and teacher training in order to deliver their competence, skill and academic strengths back to the school communities of this State. I want to see that program supported, expanded and delivered. Members will be able to picture the people for whom it would be an advantage. There are small numbers of young women coming through the school system who have children and particular financial needs. These young women need financial support to go on to higher education. This type of scholarship program could enhance their opportunity to do that training. The package of needs is large. The Government Employees Housing Authority needs additional financial support to restore, replace and obtain appropriate accommodation for teachers in those locations.

The Government Employees Housing Authority has never successfully performed the job and I am not sure that the leasing-out option is appropriate by itself as it can be an expensive option that does not necessarily meet all of the needs of government employees in remote locations.

Hon N.F. Moore: It is not intended to be done in isolation but as part of the package?

Hon TOM STEPHENS: It must be kept in check to ensure it does not become an expensive package that means leasing accommodation for government employees from the private sector eats up too much of the scarce cash resource.

Debate adjourned, pursuant to standing orders.

PROROGATION OF PARLIAMENT, EFFECT ON CERTAIN MOTIONS

Point of Order

Hon TOM STEPHENS: I seek clarification from the Chair of the situation that will prevail if motion No 12 standing in the name of Hon Norm Kelly, to disallow the submission to Parliament tabled in the Legislative Council on 12 May 1999 in reference to the Land Administration Act, were not dealt with prior to the House rising and at the point at which prorogation occurs, which is anticipated to be in August. I read under motion No 12 that, in addition, Standing Order Nos 152 and 153 do not apply. I understand that may be because this submission to Parliament does not deal with the regulation that has legislative effect and is therefore not caught up in the fast track process. I am concerned that the regulation runs the risk of being disallowed by prorogation.

I ask you, Mr President, to take the opportunity of considering all of the implications of our standing orders on that motion and to come back at some time convenient to yourself to give a ruling from the Chair as to whether the notice of motion appearing on the Notice Paper leaves those regulations at a risk of being disallowed by virtue of prorogation when it occurs, if the House were not otherwise to deal with that matter.

It appears that there is prime facie evidence to suggest that they may be safe, but the Labor Opposition is very keen to ensure that those regulations are in fact safe and we want the assurance of the Chair that that is the case. We will urge the Government to bring on the motion for consideration if there is any uncertainty that they are protected by the motion being dealt with in the House.

Hon N.F. Moore: You can be absolutely certain it will be brought on if it has to be brought on.

The PRESIDENT: Order! This is an important point of order.

Hon TOM STEPHENS: Mr President, I want to ensure, if I may, that while tackling that question you can educate me - perhaps other members know - that if it does not join the other category of regulations under Orders of the Day Nos 1, 2 and 3 which will be disallowed on prorogation, what is their status? Can this motion be moved again subsequently when the House is reconvened after prorogation?

Finally, I seek your advice to me, and therefore to the House, on a regulation that is disallowed on prorogation. Is there an opportunity for the Government to immediately reinstate that regulation, such as the Gas Standards (Gasfitting and Consumers' Gas Installations) Regulations 1999 disallowance, in a time frame that does not expose an industry, for instance, to too long a gap without the benefit of publication in a fresh *Government Gazette* and a new imposition of regulations soon after the prorogation has caught up with and effectively disallowed a regulation that has not yet been dealt with by consideration and resolution of this House?

I hope that has clarified what I am seeking. If I could leave that request for your advice and if you were able to advise the House at a time convenient to you, I would appreciate that very much.

The PRESIDENT: I thank the Leader of the Opposition for the point of order. I will require from Hansard at an early opportunity a copy of the Leader of the Opposition's remarks. A number of matters will require consideration and I will endeavour to return at 2.00 pm with a ruling on the matters raised by the Leader of the Opposition.

ORDER OF BUSINESS

Standing Orders Suspension

On motion by Hon N.F. Moore (Leader of the House), resolved with an absolute majority -

That so much of standing orders be suspended so as to allow me to move that Orders of the Day Nos 5, 6, 7, 8 and 9 be taken ahead of Order of the Day No 1.

Motion

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [12.09 pm]: I move -

That Orders of the Day Nos 5, 6, 7, 8 and 9 be taken ahead of Order of the Day No 1.

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [12.09 pm]: Mr President, if there is an opportunity for the Leader of the House to assure the House that the reports contained in Order of the Day No 4 find their way back onto the Notice Paper after prorogation so that they can then be considered at some stage in the early weeks of the next session, we on this side of the House would appreciate that.

The PRESIDENT: Order! The Leader of the House cannot respond at this stage because this is a procedural motion, unless he gives an indication to the Leader of the Opposition in the usual manner.

Hon N.F. Moore: The House will decide to reinstate it.

Question put and passed.

[COUNCIL]

STATE FOREST No 69

Revocation - Motion

Resumed from 27 May on the following motion -

That the proposal for the revocation of state forest No 69 laid on the Table of the Legislative Council on 27 May 1999 by command of His Excellency the Governor be carried out.

Committee

The Chairman of Committees (Hon J.A. Cowdell) in the Chair.

Hon KEN TRAVERS: The Labor Party supports this revocation. It will allow a number of things to occur. First, the new police academy will go ahead at Joondalup, and that will be a great bonus for the northern suburbs, particularly the Joondalup area. I have long supported that.

Hon N.D. Griffiths: You have campaigned for it vigorously and that is why it is going ahead.

Hon Peter Foss: Others have also campaigned vigorously.

Hon KEN TRAVERS: If members will allow me to finish, I will tell them how it was achieved. It was because the members of all political parties in the northern suburbs adopted a bipartisan approach. When elements of the Government looked shaky on the proposal, and we were nervous about its not being located in Joondalup, the unusual situation occurred of Paul Filing, Chris Baker, Hon Ray Halligan, and me standing together to be photographed. That does not happen very often, but it did on this issue.

Hon Peter Foss: The main person on your side was Mr Falconer.

Hon KEN TRAVERS: That is right. The Joondalup area will benefit greatly from the establishment of the police academy. It will develop some culture and provide some atmosphere in the area, because that is still lacking. Up to 1993 the area had strong growth, but then some government agencies were removed from that region which resulted in a massive loss of confidence. The area stagnated for a number of years, and I am pleased that confidence is coming back to the area and that it is once more growing. The private sector is moving into the Joondalup area, and the police academy will go a long way to returning that confidence in Joondalup. Those who care about Western Australia will be aware of the importance of creating regional centres, such as Joondalup, to take pressure from the central business district from an environmental and economic point of view. It will add to the amenity of the capital of Western Australia. The Labor Party supports it and is pleased that it is happening.

The other part of the forest that will be revoked is part of the Joondalup campus of Edith Cowan University. My only concern in this matter is that I understand it is the Government's intention to immediately gazette the area that is to be taken up by the police academy, but not the land to be taken up eventually by Edith Cowan University. I urge members to go to that campus, which is very much integrated with the forest area. I was not previously aware that a large part of the campus is situated within the state forest, including the sports centre and a number of other buildings. In my mind there is no doubt that the land should be handed to Edith Cowan University as soon as possible. I understand that the Department of Conservation and Land Management is seeking to sell the land to Edith Cowan University, rather than hand it over. Of course, as CALM is a non-budget agency, it wants as much money as it can get to continue with projects such as the maritime pines project. I agree that CALM should be compensated for the value of the land that is passed to Edith Cowan University. However, I am strongly opposed to ECU being forced to buy that land before the gazettal notice is published as the final part of the revocation process.

Unfortunately, Edith Cowan University is the poor cousin of tertiary institutions in Western Australia. The University of Western Australia owns the land on which it is located, and was lucky to have a large amount of endowment land given to it over the years which will ensure its future. Murdoch University was established on a substantial area of land owned by the university. I understand it is now seeking to develop some of that land for commercial opportunities. That is one of the reasons it tried to poach the police academy from Joondalup, with a proposal to locate it on the Murdoch land. One of the inducements was that the land could be offered free, as part of the package. Curtin University of Technology owns the land on which it is located. Edith Cowan University owns only part of one of its campuses; namely, the Joondalup campus, which is the land around state forest No 69. ECU's land at Churchlands, Claremont and Mt Lawley is owned by the Department of Education Services. In my view that land should also be given to ECU. I understand that if the Churchlands campus is redeveloped, the money will go to ECU but the university should be afforded some dignity and given the titles to its land. That would put it on an equal footing with other universities, although I acknowledge that no university in WA could ever be on an equal footing with the University of Western Australia on the basis of land holdings. However, it would provide ECU with an opportunity as a tertiary institution to own the land on which it is located.

I also note that ECU purchased the land at Joondalup on which the university is located, unlike the other universities, which were given their land. This Parliament has an obligation to support all the tertiary institutions in Western Australia and to clearly indicate that it holds them all with equal respect. That should be demonstrated by affording them the dignity of owning the land on which they operate. They are important issues and I urge the Government to consider them. If it wants to provide compensation to CALM, that is fine, but there is a strong case for the land in question to be given to Edith Cowan University so that it can go forward and compete as an equal partner and on an equal basis with the other tertiary institutions in Western Australia. In the northern suburbs and in Bunbury ECU is doing a great job. It is linking post-secondary and tertiary education, and its work with the West Coast College of TAFE has been extraordinary. It is providing a great

alternative to further education in the northern suburbs which is slightly different from that offered by UWA. I urge the Government to go ahead with the revocation and to gazette the removal of state forest No 69 for the whole area, and not just the land for the police academy. I also urge the Government to give the remainder of the land to Edith Cowan University.

Hon GIZ WATSON: The Greens (WA) do not have a problem with this revocation and therefore we support the motion. When I saw this revocation motion I wondered to which piece of state forest it related. It raises the question of the generic definition of state forest, when what we are talking about is a pine arboretum. It certainly does not fit into the category of forest of which I am aware, being a purest in terminology. The revocation of the state forest does not seem problematic.

I have taken the time to consult with some of the local conservationists. One of the issues which has been raised is that of the genetic material in the variety of pines that were trialled there. I seek clarification to be sure that the genetic material will still be available, specifically as to whether it will be available not merely as seed but as cloned stock, because there is a significant difference. To elaborate on that slightly, genetic material has been introduced into WA, in this case mainly from the United States. In the United States the natural habitat, particularly of Monterey pine, which is what we call radiata, is extremely rare now and endangered. It is a little like the situation with wild camels in Australia. They are excellent stock in the global picture of camels. I question whether there is a need and advantage in securing genetic material from these pines which might be useful back in America.

Hon Max Evans: Those pine trees were planted there. It is not their natural habitat.

Hon GIZ WATSON: That is right. The genetic material to be secured may be exported. We have the technology in WA to do that. I seek an assurance that material will not be lost and will be used specifically for the purpose of cloning rather than merely the preservation of seed stock. The land is an appropriate area to turn back into other uses. We support the motion.

Hon NORM KELLY: The Australian Democrats also support the revocation of state forest No 69. Passing this motion is simply another step in the revocation, which does not take place until gazettal. We have a slight concern that the Government is intending to gazette only about a quarter of the state forest, some three hectares of a total of 12.3 hectares, the three hectares being for the development of the police academy. The money generated from the revocation of the land will go back into the Department of Conservation and Land Management. The only way in which CALM can use the money is for the retirement of debt or for the maritime pine afforestation program. The latter case particularly is a proper use for such funds and we support it.

This state forest was established about 30 years ago basically as a nursery for pine plantations. It has outlived its usefulness with most of those operations being carried out in the south west near Manjimup. As Hon Giz Watson has said, the terminology when talking about state forest is quite varied. It goes from the most pristine native forest that is largely untouched to what may be regarded as highly degraded areas, such as state forest No 69. I was a student at Curtin University of Technology which was built on a previous pine plantation.

Hon Max Evans: There was probably a forest out there as well.

Hon NORM KELLY: It is probably wrong to talk about pine forests in this State. We should truly refer to them as pine plantations. The development of Curtin University was a very good use for that land while retaining a good number of pine trees in the area. Interestingly, the CALM offices situated down the road were also established on an old pine plantation. CALM has managed to chop down most of those trees in the past year or two.

That such revocations need to go before Parliament for approval is a good process. It is a state resource which is owned by all the people of Western Australia. It is appropriate for Parliament to give approval before such revocation is allowed. The Australian Democrats support such a revocation.

Hon MAX EVANS: I thank members for their support. I appreciate the declared interest of Hon Norm Kelly saying that he was at Curtin. This goes back to the financing of Edith Cowan University when we were in government. We were trying to deal with land at Alkimos and Clarkson to finance universities. That has been changed now. However, we are looking at finance. I cannot give any undertakings about what will happen in other campuses which are owned by the Department of Education Services. The Government is well aware of the needs of the universities. The main thing is to get them going because it is all about what happens above the land rather than the land itself. That is the most important factor in education.

Reference was made to the police academy's being at Joondalup. The police at Joondalup have a new "stop burglary" campaign, which is very effective and well thought out. The police might learn a few more tricks out there, which could make Joondalup one of the safest places in Western Australia in which to live.

Revocation takes place by the department gazetting a notice, as Hon Norm Kelly has said, following agreement by both Houses of Parliament. Only the police site will be gazetted or revoked initially. The university site will be revoked once negotiations to transfer ownership of the site to the university are completed. CALM, as part of its net appropriation agreement with Treasury, has funds returned from the sale of freehold land for use primarily in salinity tree plantings and the maritime pine project, but also for debt retirement. CALM has negotiated similar agreements with the sale of other forest lands. As I said the other day, instead of using the proceeds from the sale of land for the reduction of CALM's debt, they will be used for salinity programs or maritime pine projects to try to help the State solve some of its problems. Obviously this will happen here. It is a good move to do that, rather than simply repaying debt. Instead of the money being lost to the bank, it will be recycled into addressing the salinity problems.

Once Parliament has approved the revocation of the land, CALM will immediately move to gazette the formal revocation of the northern portion of land for the police academy - about 3 hectares of the total 12.3 hectares to be revoked. Formal

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revocation of the remaining 9 hectares occupied by Edith Cowan University will occur once negotiations have been completed. CALM has had preliminary discussions with ECU and the Department of Education Services about the revocation procedures and is awaiting advice from the Department of Education Services about how it wishes to acquire the land on behalf of Edith Cowan University. I have been a great supporter, as has been former Commissioner Bob Falconer, of having police operate in a real life community rather than just be at the Maylands Police Academy and removed from the real world.

Hon Ken Travers: The member for Maylands may disagree that Maylands is not a living community!

Hon MAX EVANS: Okay! They will be mixing with other students and using a lot of the facilities on the campus, which is a very good campus. That will be a good thing. In the past five or six years, the average age of the police who have gone into the academy has been between 21 years and 28 years. If they have been out in what I call the real world before they go into the Police Force, they understand a lot more about what life is all about. They will be better off if they are in this sort of learning environment, and that will result in a better and more rounded Police Force.

Hon Ken Travers: People are now going into the Police Force with higher educational qualifications. It was only in the 1980s that the police first started to get people with degrees; my brother was one of the first.

Hon MAX EVANS: That is right. Some of them were just looking for secure employment.

Edith Cowan University has an excellent vice-chancellor. She is pretty tough about their business plan for what they will do, and she will make a great contribution to that university. She will keep the police on their toes!

Hon Ken Travers: The link between the West Coast College of TAFE and the academy is also very good.

Hon MAX EVANS: Yes. All the TAFEs are doing a very good job.

Hon Giz Watson referred to the language of "state forest". That is not right or wrong; it is just there. We go back to a lot of the jargon that came in with the old Public Works Department, which changed its name many times. Most of the buildings in this State are owned by the Public Works Department. It built them in the early days at the turn of the century, and the land on which they are built is still in its name, although on the government property register those buildings are listed under the relevant department, which may be railways or education.

With regard to genetic material, my briefing notes state that -

Many of the existing pine trees on State forest No 69 are likely to be retained. Pines on this area were once an important source of *Pinus pinaster* seed. Although they are no longer required for that purpose, CALM will ensure that it can continue to access genetic material from these trees as a back-up to other seed orchards.

In other words, CALM will retain some trees. I understand that the tops have been lopped off these seed trees to push more seeds out of the bottom. Hon Giz Watson would know a lot more about that than I would. That is a wonderful thing. What would the black cockatoos do without all these pine trees around the metropolitan area? I do not know what they lived on before we had all the pine trees! Across the road from me in Mosman Park they make a lot of noise, and on my place at Kalamunda we have white tail and red tail cockatoos. CALM will retain a certain number of trees for the seed, and it is far better to have the seeds come from the original trees than from genetic stock, because we may want to revert to that one day.

Hon Norm Kelly talked about the debt. I have already explained the debt versus the maritime pine plantations. We all agree that the sooner we get on with this, the better. I was at the police function at the City of Joondalup the other day, and the police representatives were asking how soon could they get the land. I will buy the police a couple of axes so that they can cut down the trees, because it will be a good exercise and make it worthwhile! I commend the motion to the House.

Question put and passed.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 1) 1999

Second Reading

Resumed from 30 June.

HON J.A. SCOTT (South Metropolitan) [12.37 pm]: I will recap on what I was speaking about last night, for the benefit of members who were not present. I was speaking about the need for quick action in this State and in Australia to put in place proper regulatory processes for genetically modified foods, because a number of these foods are already arriving as finished products on our supermarket shelves - and there is free access to these supermarket shelves - and also as products which will be grown in the wheat and canola fields in this State. I am very concerned about the types of biotechnology that apply to genetic modification, in particular of viruses, but also of bacteria. As I explained last night, the scorpion gene that has been put into a virus and has been used in the United Kingdom may have a ruinous effect on the whole of the insect population in this State and then destroy many of the plants that rely on those insects. A comment has been made about the possible spread of that scorpion gene through its use in a virus to get rid of insects. An article in the *New Scientist* dated 25 June 1994 states -

But Mark Williamson, who is professor of biology at the University of York, believes Bishop's figures may be too low. He estimates that of the 2500 species of British moths and butterflies, up to 10 per cent are likely to be killed

by AcNPV. Alan Wood, who studies baculoviruses at the Boyce Thompson Institute for Plant Research, New York, agrees with Williamson. "There have been reports of AcNPV affecting termites and beetles," says Wood.

The article states also -

The second question asked by protestors is whether genetically modified AcNPV will swap genes with other wild viruses creating new strains that might kill other species. Theoretically, this could happen when two different viruses infect the same insect and end up in the same cell, which would then be awash with DNA fragments that could recombine at random. "The passage of one baculovirus gene virus to another probably only occurs between viruses that are very closely related," says Guy Croizier of the French National Institute of Agronomic Research

Most members will be aware of some of the problems that we are seeing in the north of Australia where there have been species jumps with viral infections. In Malaysia at the moment masses of pigs and chickens are being slaughtered. We have seen the viruses not only affect those populations but also kill people in Malaysia, and they have jumped the species gap by infecting humans. This is a serious issue with which we must deal very quickly and seriously. It has a whole range of implications apart from the obvious ecological implications; it also has big health implications for people in the State. There is now a well-publicised piece of research by Dr Arpad Pusztai, who was working in the United Kingdom. Dr Pusztai had been looking at the effect of the use of genetically-altered potatoes in the diets of rats. He found that there was considerable organ damage in those rats. Initially, he was criticised for his research by his superior officer, or the person further up in the bureaucratic chain, and stripped of his post. It has now been found that he was correct. An article from the Internet, which was in the United Kingdom's *Mail On Sunday* on 31 January 1999, states -

. . . today The Mail on Sunday can reveal that rats DID suffer shocking internal damage. And we can disclose that a leading pathologist who has re-examined their remains has confirmed Dr Pusztai's findings.

The scientific bombshell is sure to rekindle controversy over the safety of genetically altered food. The revelations will also place a question mark over the future of Dr Pusztai's former boss, Professor Philip James, who ousted him from the research programme and is now being tipped as head of the Government's new Food Standards Agency; due to be formed in April next year.

This issue has seen big changes in the British Government's attitude to genetically-altered food. There was an attempt to cover up this research, but it was leaked widely and has caused a huge backlash against biotechnological food, or as it is called in Europe, "Frankenstein food". Another concern was expressed by Reuters in an article on the Internet on 27 January headed "Study casts doubt on genetically modified food". It stated -

One of the concerns about genetically engineered crops is that antibiotic-resistant genes could transfer to animals and humans and create superbugs that cannot be killed by even the strongest antibiotics.

This follows some experimentation in an artificial gut which showed that there was time for these genes to transfer to the bacteria in a stomach. If we had a bacteria which could not be eradicated, this could also have significant effects on people's health. As a result of this type of research which is now starting to come forward, there has been a huge push in Britain. Environmentalists have put a lot of pressure on the Government and there are problems in their experiments in the fields in which genetically-altered genes have transferred from crops in experimental plots to areas outside those plots. Finally, there seems to be a big reaction by the supermarket chains. This is the message at which Western Australian farmers and food producers must take a good look. Another article from the Internet titled "Unilever UK goes GM-free" on Wednesday, 28 April from London's *The Times* states -

Britain's biggest food manufacturer announced yesterday that it would remove genetically modified ingredients from its products in response to consumer concern.

In a move which will create alarm throughout the biotechnology industry Unilever, which owns the Birds Eye-Walls and Van den Bergh companies, said that it could not ignore the sea-change in public opinion over the past three months. Among the firm's 25 products that contain GM soya are Beanfeast, the biggest-selling branded meat substitute, Birds Eye beefburgers and Vesta curries.

Tesco, Britain's largest food retailer, also announced yesterday that it was clearing GM ingredients from own-brand products. A spokesman said: "We think we should be largely GM-free by the end of the year in terms of the 200 products that are own-label."

Iceland, Asda, Sainsbury and Waitrose had already decided to drop GM products. Safeway and Somerfield are the last big chains to hold out against the campaign by environmental and consumer groups, chefs and restaurateurs against GM soya, maize and other crops.

There has been a big backlash even to the point at which Britain's top chefs have put their weight to the opposition of "franken food". Another Internet article on 17 May 1999 is headed "British doctors warn modified crops may pose health risks". It states-

In the first statement on genetically modified organisms by a major medical organisation, the British Medical Association today says there should be a moratorium on the commercial planting of GM crops until there is a scientific consensus on their long term environmental effects.

The BMA report *The Impact of Genetic Modification on Agriculture, Food and Health*, warns that any adverse effects from GMOs are likely to be irreversible.

[COUNCIL]

This is the important issue. We think that rabbits have been a problem in this country and that it has been difficult to eradicate them. If viral properties and bacteria which have been genetically modified get into our environment, we will never be able to reverse that situation. The BMA has called for a moratorium on these types of foods and crops. It goes on -

As we cannot yet know whether there are any serious risks to the environment or human health, the precautionary principle should apply.

I totally agree with that sentiment. In this State we should be moving to put moratoriums on these types of crops and foods until such time as they can be properly and scientifically cleared. Furthermore, even after that period, if foods are allowed on our shelves, they should be clearly identified as such. If members go to any supermarket shelf today, they will see that a number of supermarket chains and big producers of items such as soy milk are already putting that on their products.

It is important for us in Western Australia because, as I said last night, Agriculture Western Australia is moving towards marketing clean, green produce. I encourage its good work in building up that industry. However, if we bring in genetically modified organisms that can spread around the State, none of the produce from Western Australia will be recognised as being organically grown by the European market. We will have blown it.

Hon M.J. Criddle: Wouldn't that occur in every other country?

Hon J.A. SCOTT: It will occur throughout the world. There have already been fights between the United States and Europe because Europe has refused to accept organic genetically modified material from the United States. The Minister for Transport may not be aware of one of the statements I made last night about the worldwide regulatory problems it would cause. For his benefit the article from volume 28 of the May/June 1998 edition of *The Ecologist* entitled "The Biotechnology Bubble" reads -

The Food and Agriculture Organization and World Health Organization issued a joint Safety Report on genetically-engineered foods, as the result of an expert consultation held in Rome in October, 1996. The Report sets international safety standards by WHO's Codex Alimentarius Commission, which will determine, not only the safety of genetically-engineered foods, but also world trade. It will be illegal for any country to ban imports of genetically-engineered foods, so long as the Codex considers them safe.

We will have no option in this matter unless we move quickly. Our least likely option will be to prevent the spread of genetically altered material into crops that other people are trying to sell as organic produce or clean, green produce. Even the standard wheat and canola crops in this State will be affected. We will not be able to keep genetically engineered material out. We could destroy the entire Western Australian industry. I urge the Government to examine this issue seriously. I will probably discuss with my colleague, Hon Christine Sharp, the possibility of the Standing Committee on Ecologically Sustainable Development investigating the matter at some stage in the future. It is a very important issue and must be dealt with promptly.

Another matter of concern, highlighted in an article in *The West Australian* about a week ago, was that this State was likely to increase its greenhouse production by approximately 240 per cent rather than by only 8 per cent, as we were supposed to be doing. I am not so much concerned about the possibility of trade sanctions from countries that are making genuine attempts to reduce greenhouse gasses, according to some of the more recent articles I have been reading about the effects of greenhouse gas, but about other impacts it is having. Already we are aware of the well-known phenomena around this State. Many members may have seen a program on ABC television about the complete destruction of Scott Reef due to global warming, which has caused the reef to be bleached. It no longer comprises any living organisms. It is unlikely that it will recover and it is likely we will lose coral reefs throughout Australia. Problems are already occurring in the Great Barrier Reef.

Worse than that are some of the lesser known effects of global warming. Recently scientists have learned that although significant warming has occurred at the lower levels of the atmosphere, heat has been kept away from the higher regions of the atmosphere, from the stratosphere to the ionosphere. The effect of greenhouse is to trap heat in the lower levels of the atmosphere. However, in the ionosphere the reverse is occurring much more rapidly. Over 30 years there has been one degree of cooling each year. It is now 30 degrees colder than it was 30 years ago. This is significant because the levels of heat that existed before enabled the production of ozone which, as we know, protects us from the sun's ultra violet rays, although it is not doing that too effectively now. It would normally protect us from high levels of skin cancers and other radiation-causing cancers. Due to that cooling, ozone is no longer being formed in the ionosphere and that is being attributed to one of the major reasons we are seeing it open above the northern hemisphere to equal the hole that exists above the Antarctic in the southern hemisphere.

The speed at which this is occurring and the compounding effect it will have is of extreme concern. The heating at the lower level will increase due to the ozone not deflecting sunlight and allowing more heat to get into the lower levels of the atmosphere. A range of articles are providing evidence to indicate that global warming is costing us dearly due to storm damage and climate change and that we are probably underestimating the total impact of greenhouse reduction.

Despite all that, this State is continuing to promote greater and greater uses of energy rather than designing our economy in a modern way so that it moves towards energy reduction in both industry and households. Very little is done in housing design to cut down the use of energy. Funding for roads is massively increasing, the consequences of which will increase greenhouse gases and other pollutants.

Rather than this becoming the "smart country" as Prime Minister Bob Hawke's slogan flagged some years ago, we will be the country that will be digging it up and sending it away for a long time. That very process will destroy our economy and

country physically. We must do something about the greenhouse problem. It is no good the Government putting its head in the sand and saying so what if the level of gases increases by 240 per cent.

Hon Bob Thomas: They refuse to accept it exists.

Hon J.A. SCOTT: Information on greenhouse gases has been stifled in this State for a long time. Previous greenhouse reports commissioned here have been stifled and when we were supposed to be reducing greenhouse gases, it was not revealed that we had had a 30 per cent increase.

The greenhouse gas effect is a serious problem. The Government is not taking it seriously. I want government members to consider future Western Australians instead of themselves and their mates. We must do something about this. We cannot ignore this issue. It will come back to bite us if the Government does not move very soon to take serious action to prevent the continued growth of greenhouse gases.

[Continued below.]

Sitting suspended from 1.00 to 2.00 pm

PROROGATION OF THE PARLIAMENT, EFFECT ON CERTAIN MOTIONS

Ruling by the President

THE PRESIDENT (Hon George Cash): Prior to the luncheon adjournment the Leader of the Opposition raised a point of order in respect of a matter that currently appears on the Notice Paper. I have now had time to consider that point of order and advise as follows.

Section 43 of the Land Administration Act 1997 requires intended acts under other provisions of that Act to be put in the form of a proposal to both Houses and subjects that proposal to disallowance by either House.

Section 43(1) requires notice of a motion to disallow a proposal to be given within 14 sitting days of the proposal being tabled. The proposal was tabled on 12 May 1999 and notice of disallowance was given within the prescribed time on 23 June by Hon Norm Kelly.

Because of the certainty of prorogation occurring between today and when the House next meets, the question I am asked to answer is whether, should the question remain unresolved when the House adjourns today, the proposal will be disallowed on prorogation by operation of Standing Order No 153(c). The cumulative effect of standing orders governing disallowance is to ensure that they are brought to resolution whether or not, in the case of prorogation, they have been debated. Leaving the House's rules aside for the moment, some consideration must be given to the applicable statutory provision, in this case section 43(1)(b) and (2) of the Land Administration Act.

Section 43(1)(b) states that if the disallowance motion "is not lost" within 30 sitting days of tabling, the proposed changes lapse. Subsection (2) discounts any prorogation occurring within the same Parliament in computing the 14 or 30 sitting days mentioned in subsection (1). In other words, "sitting days" are counted regardless of whether they occur in the same or subsequent sessions. However, section 43, so far as it provides for the computation of sitting days, cannot be read as overriding the common law effects of prorogation. In this case, prorogation kills off the disallowance motion. In this regard, I draw the attention of members to a ruling of President Griffiths given on 14 November 1991 regarding the Prorogation of Parliament Bill in which he held that any legislative alteration in the common law effects of prorogation were subject to section 73(2) of Constitution Act 1889 - that is, the referendum requirement.

Relevantly, subsection (2) would permit renewal of the disallowance motion in the next session were the number of sitting days within which notice might be given not exhausted. In this case, the available sitting days expire today, 1 July. Accordingly, when the current motion dies on prorogation it will not be possible to renew it when the next session commences in August. Conversely, had the proposal been tabled some time after 12 May, it seems clear that on the basis of the actual sittings of this House to this time, one or more sitting days may have been available in the next session to enable the motion to be renewed in accordance with the provisions of the disallowance procedures mandated by the Land Administration Act.

The issue then is whether the motion on the Notice Paper is one to which Standing Orders Nos 152 and 153 apply. They do not. Unlike section 42 of the Interpretation Act 1984 which provides for the disallowance of a regulation, but does not prescribe a maximum time within which a disallowance is to occur, section 43 of the Land Administration Act requires disallowance of an applicable proposal to be determined within 30 days of tabling. That determination must be by an actual vote of the House. I refer to paragraphs (b) and (c) of section 43(1) that require that the motion "is not lost" or "is lost". In parliamentary practice, something is lost if a majority votes against it or fails to carry it. What Standing Orders Nos 152 and 153 do for a regulation tabled under section 42 of the Interpretation Act is, namely, to bring the matter to resolution, as section 43(1)(b) and (c) do for a proposal. To the extent that standing orders are inconsistent with an express statutory provision, the standing orders must always give way.

Accordingly, although the proposal is a regulation within the meaning of Standing Order No 143 - that is, it is a statutory instrument capable of disallowance under a written law - it is not one by reason of section 43(1) to which the usual disallowance procedures apply because of the exhaustive nature of the scheme implemented by section 43 of the land administration Act. The 30-day sitting period cannot be cut back by operation of standing order 153. It cannot be made to apply merely because it is common knowledge that the prorogation will occur sometime between now and early August. I add that if Standing Order No 153 does not apply, then the pro forma provisions contained in Standing Order No 152, because of formal linkage between the two rules, also does not apply.

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I therefore rule that section 43(1) of the Land Administration Act 1997 has effect despite Standing Orders Nos 143, 152 and 153, with the result that were Parliament not to be prorogued before the House next meets, the 30 sitting days provided for in section 43(1) would continue to run and the question would have to be resolved before they expire.

Turning to the second matter raised by the Leader of the Opposition relating to the Gas Standards Regulations, if those regulations are disallowed by operation of Standing Order No 153(c) - that is, disallowance on prorogation - the Executive Council may immediately re-enact them. I refer there to section 42 of the Interpretation Act, which does not require, as is the case in some other jurisdictions, a cooling-off period before disallowed regulations can be re-enacted. In the event that those regulations are re-enacted upon disallowance, section 42 of the Interpretation Act applies in all respects - that is, tabling and subsequent disallowance proceedings to the new regulations that will apply as if they were enacted for the first time. I therefore answer yes to the Leader of the Opposition's question: The Gas Standards Regulations, if disallowed, may immediately be re-enacted and section 42 of the Interpretation Act applies to the re-enacted regulations.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 1) 1999

Second Reading

Resumed from an earlier stage of the sitting.

HON KEN TRAVERS (North Metropolitan) [2.10 pm]: I will bring a number of matters to the attention of the House during this debate this afternoon. The first matter is an issue that arose late last week. It was brought to my attention by members and officials of the Australian Manufacturing Workers Union and the Communications, Electrical and Plumbing Union. It relates to the issue of regulation for controls on the cartage of bulk water for drinking purposes and the provision of water supply to areas such as construction sites.

First, I will deal with the issue of lack of controls over bulk cartage of drinking water. It was with some surprise that I learnt that there is at this stage no formal mechanism for controlling that in Western Australia. Members may be aware that since early 1998 a draft code of practice has been put out by the environmental health services section of the Health Department. I must stress that it is only a draft code and has no formal legislative powers and therefore is not enforceable. I imagine this would be of great concern to some of the regional members in whose electorates the cartage of bulk water for drinking purposes occurs regularly, in some of the wheatbelt areas in particular. This has been reduced by a number of programs to put reticulated water supply into those areas. Those programs really got under way heavily when Ernie Bridge was Minister for Water Resources in the Labor Government and they have been continued by the current State Government. The carting of drinking water is absolutely crucial.

A Bill on the Notice Paper deals with the plumbers registration board. When we get to it, I will go into more detail about why plumbing is so important for the maintenance of a good potable water supply. The issue goes to one of the fundamentals of public health. People would acknowledge that the implementation of a quality, potable drinking supply has increased the quality of our health. It is of great concern to find an area of the provision of drinking water to large or small groups of the population of Western Australia over which there are no formal controls. This needs to be resolved as soon as possible.

I had hoped to ask a number of questions in the House this week of the minister representing the Minister for Health to ascertain what was happening and when we will get formal controls. Unfortunately, the Minister for Health is away at the moment. I am sure he did not want to see how bad the hospital budgets were at the end of the year, so he has gone overseas as I understand it. Nonetheless the issue is of great concern. The situation that led to this issue being brought to my attention occurred at the Worsley Alumina Pty Ltd refinery extension construction site. The work force expressed a number of concerns about the way the water was being carted. I am sure the relevant people have assured the work force that the draft code of practice put out by the Health Department is being followed by the people carting the water to the construction site. However, it is difficult to monitor that and to ensure that is occurring. We are left with the word of the water carter that that is what he is doing. An individual purchaser of water might be able to keep an eye on the water carter and if he is not doing the right thing, get rid of him. However, obviously an employee on a work site, who has his water coming from that source, does not have that option of getting rid of the water carter and getting another one. If the code of practice were in place as a formal mechanism, there would be some control. The bulk water carter would be required to have approval from the local government authority prior to commencing carting water. Conversely, if the water carter did not do it properly, the local government authority could remove that approval. So a mechanism would be in place.

Hon M.J. Criddle: I wonder how you would go with a water bag.

Hon Murray Montgomery: He has not seen a water bag before.

Hon KEN TRAVERS: Are the members suggesting that what I am saying is not correct? I will be looking forward to the response from members opposite if they do not think this is a serious issue.

Hon B.K. Donaldson: I have been carting drinking water for years. What is the problem?

Hon KEN TRAVERS: I do not know that anybody has proved the linkage between the water the member has drunk and the state he is in now, but there is always the possibility that one day they might.

Hon B.K. Donaldson: I am sure Health Department officials could see it. They could look at me and see how healthy I am.

Hon KEN TRAVERS: If members opposite do not believe that the carting of water needs regulation, why has a draft code of practice been put out?

Hon B.K. Donaldson: It is very healthy in practice to have a code of conduct; it is excellent. You do not need legislation. This is unbelievable!

Hon KEN TRAVERS: I disagree. If one took that argument to its extreme, one could say that we do not need any regulation of the water industry full stop. We would see a massive deterioration in standards and conditions.

Hon Muriel Patterson: What happens if there is a bush fire? Do people get out their regulations before they put it out?

Hon KEN TRAVERS: I am talking about the cartage of bulk water for drinking purposes. I am not talking about the cartage of water in all circumstances. I am surprised members opposite do not want to make sure that the code of practice that has been drafted by their Government is taken to the next stage to enable the cartage of water to be monitored and controlled and to ensure that carters are following those correct procedures. I would have thought that members opposite would have been sufficiently concerned for their constituents to ensure that no problems were occurring. The code of practice is not particularly onerous. I was hoping to ask the minister questions about it this week. I wanted to find out why the Government had not gone to the next stage of making it into a formal code of practice rather than leaving it as a draft code. It is not as if there have been complaints from the industry that the draft code is too onerous. It is quite happy to comply with it. It is not an issue on which we would expect to see the backbenchers of the Liberal Party knock over the Government's proposals, as they do in so many areas these days, because certain of their industry mates tell them it is all too hard and too expensive, regardless of whether it is a good thing or a bad thing.

Hon W.N. Stretch: Have you ever had a complaint from a person who has run out of water?

Hon KEN TRAVERS: No.

Hon W.N. Stretch: This will go down well in the north west!

Hon N.D. Griffiths: You are a great believer in the trickle down effect!

Hon KEN TRAVERS: I am more than happy for members to keep interjecting. I have made it clear that -

Hon W.N. Stretch: If you do not have a speech of your own, you may as well!

Hon Tom Stephens: I think he is doing a great job!

The PRESIDENT: Order! Let us get on with the comments of Hon Ken Travers.

Hon KEN TRAVERS: As I said, this issue arose because of the situation on a major construction site where bulk water was required to be carted in. I also made the comments earlier - and for the benefit of members opposite I will reiterate them, because they obviously did not hear them properly - that an individual who orders water to be carted in must ensure that the water carter has complied with the code of practice, and if he does not believe the water carter has done that, he has the opportunity of going to someone else. However, employees - and I understand this will be the difficult part for members opposite, because they do not believe employees have rights - whose water is being carted in by a water carter who has been chosen by a person based in Perth who does not need to drink that water, have absolutely no control over the quality of that water. People who are in that situation want some assurance that there is a code of practice and that people who do not comply with that code of practice will no longer be allowed to continue carting bulk water for drinking purposes. It is crucial that the Government move to the next stage at the earliest opportunity and take that draft code of practice from a draft to a fully fledged code that puts in place some controls over the important area of water supplies.

Another example of the lack of regulations to maintain health standards with regard to water supplies is again at the Worsley construction site, where because the construction site produces its own water from a dam, it has no legislative requirement - this is my understanding, and again I have not been able to confirm it with the minister because he has been away this week - to comply with the Australian drinking water guidelines because the company is treated as a producer of water for its own purposes. However, the problem at the Worsley construction site, which has in the order of 1 400 workers who all drink that water, was that the water became contaminated and polluted and the work force was not advised of that until some time after that had become known to people. I understand that to this day, they still do not know the level and nature of the contamination of that water. The problem was that people had continued to use that water for things like cleaning hands, and eye baths. I find that extraordinarily. I thought distilled water, not even tap water, would be used for an eye bath -

Hon Norm Kelly: If you needed an eye bath, you would be appreciative of any water, because it would be a major situation, although the cleaner the water, the better.

Hon KEN TRAVERS: That is right, but one would hope that when in the order of 1 400 workers are working on a construction site, potable water would be available not only for drinking purposes but also for the preparation of food and other uses around that construction site. This matter must be dealt with so that people who are in these situations can be assured of the quality of their water. I made the point earlier that an individual who is providing water purely for himself can get it tested and make sure he is comfortable that the water is suitable for drinking, but in the case of employees who are being provided with water, there must be a clearer definition of who is responsible for ensuring that that water is potable. I hope the Government will take those issues on board, and that it will not be waylaid yet again by the obvious views of the backbench members, who seem to treat anything that vaguely resembles regulation or control as something that they will knock over, but will push ahead to put in place a code of practice so that people can have some surety. I believe that the constituents of most members in this place who need at any stage in their life to have bulk water carted in for drinking purpose would appreciate knowing that was done to a standard that ensured the potability of that water.

I remember that late last year, the Water Corporation, as a condition of its licence, had to notify members in a number of

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areas in the wheatbelt who were taking water from certain of its pipelines that that water was not suitable for drinking purposes. When that issue was first raised, Hon Kim Chance was most surprised to hear it. Most people in those areas had been drinking that water for some years. I found it amazing that the Water Corporation was fairly tardy in getting out that warning to people. Thankfully, it appears that there had never been any major problems with that water, but there is no doubt that that water was not of a standard that people should expect in Western Australia.

The next issue I want to raise deals with the former City of Wanneroo. Today is an appropriate day to talk about the former City of Wanneroo and the Royal Commission into the City of Wanneroo. Unfortunately I was not able to make it to the function this morning, but today the Premier launched the new City of Wanneroo that has been created by the split of the former City of Wanneroo into the City of Joondalup and the Shire of Wanneroo, which has now been changed back to the City of Wanneroo. That seems like an awfully bureaucratic process, but that is where we are at today. The Premier did the big bells and whistles launch for the new City of Wanneroo, and that is great, and hopefully the elected councillors will be in place as soon as possible. I have been impressed with the way the commissioners have been doing their work in recent times. They are now starting to leave some of the longer term policy decisions to one side for the councillors who will be elected at the end of the year, and are getting on with the decisions that need to be made about the split of the assets and the structure of the two new councils. I have argued for a long time that that should be their role. I have not spoken to the commissioners about it, but my impressions as an observer of what is taking place is that that is the approach they are now starting to take. It is interesting that the new City of Wanneroo has been created, but a number of issues that arose from the former City of Wanneroo and the royal commission have still not been resolved. This Government attempted to place a fair degree of blame on some of the former councillors who were in place at the time the council was split. However, in many cases they were not around when the City of Wanneroo was at its lowest ebb in terms of the way in which the place operated, with all the wheelings and dealings that went on. It has been brought to my attention that I am not the only person who is interested in this issue. A constituent brought it to my attention. He has pursued the issue of the royal commission's findings and recommendations and their implementation. He was also interested in finding out what was occurring in response to a number of the adverse findings against council officers and councillors. He was interested in finding out what was happening with the number of matters that had been referred to the Director of Public Prosecutions. The constituent is a fairly determined and dogged person and has pursued the Minister for Local Government and the Premier on this matter since 1996. He has written numerous letters. On most occasions he has received the standard response: "Thank you for your correspondence. The minister will respond as soon as possible." It has been quite difficult to achieve a response to the substantive matters. He has taken to writing ballads to get a response. I had thought about seeking the leave of the House to table one, but finally chose not to do that. It is an interesting little ditty, which I think has appeared in "Inside Cover". Resorting to this mechanism elicited a response of sorts from the Minister for Local Government. Unfortunately, the minister said that he had raised that matter and had listed the recommendations that had been implemented, those that had been partly implemented and those that had not been implemented. For the purposes of this afternoon's debate, I will not go through all of the matters on which I think the Government got it wrong. However, in some cases the recommendations of the Royal Commission into the City of Wanneroo have not been implemented, but they should have been. I hope the Government will reconsider that.

The minister also indicated that he had no powers to do anything about the individual councillors. I hope that in the elections in Wanneroo at the end of the year we will not see a repeat and see councillors of a similar ilk to the previous ones returned to the council. There is no doubt that if matters against those councillors or officers are referred to the Director of Public Prosecutions, we, as a community, have a right to expect that at some point we will receive a response from the Government about whether the DPP has made a decision on those matters. I should think that those individuals whose names are under a cloud would also be keen for a decision to be made, and that it be made public, if the DPP does not believe there is enough reason to pursue a prosecution on the matters raised in the royal commission. The constituent wrote numerous letters, which from the very beginning tried to find out what was happening with those matters, and he was continually waylaid and put off until eventually, after two years, he was told he should write to the Attorney General. Why that was not said at the beginning, I do not know.

These issues must be resolved. I must be careful because one of the officers who is still employed and against whom the royal commission found adversely seems to be a dedicated and reasonable officer, from my dealings with that person. Nonetheless, the issue still stands that there was an adverse finding of a royal commission against certain people. It went to the heart of their substantive functions, and they have since been appointed to new positions in the City of Joondalup. For the good of local government, it is quite important that there be a resolution of all these matters to clarify the situation. It is unfair on that worker and it is unfair on the people of Wanneroo to not have these matters resolved and to have people who have had an adverse finding against them by a royal commission promoted to new jobs within the local government system, jobs which are of an identical nature to the ones they were doing when the adverse finding was made. That is a real concern to all of them.

I will touch on a couple of other issues. The Minister for Transport will be getting sick of me talking about this, but until I get some satisfactory answers, I will continue to talk about it. I refer to the extension of the Mitchell Freeway. An amount of \$25m was given to us by the Federal Government for the extension north of that freeway. From answers to questions provided by the minister throughout the estimates process, my figures suggest that only about \$15m of the \$25m provided by the Federal Government has actually been used on extending the Mitchell Freeway. The people in the northern suburbs, who at the last election were promised that \$25m would be spent on extending the freeway further north, have seen that money used on other projects such as the widening of the freeway closer to Perth. That is probably a necessary part of any extension north, but it was a separate promise that was to be funded under Transform WA. We have seen this Government take some money that should have been used to continue the freeway further north. The extension from Ocean Reef Road to Hodges Drive is just the tip of the iceberg of what is needed at the moment. It is only about two kilometres. The end of

the built-up areas in the northern suburbs will still be 20 kilometres further north than the end of the freeway. The road systems in the northern suburbs are already suffering major stresses because that main arterial spine is not there.

Hon M.J. Criddle: So is every other road in the State.

Hon KEN TRAVERS: I suspect traffic problems are even worse in the northern suburbs. Ocean Reef Road and Joondalup Drive are carrying far more traffic than most roads in Western Australia. I would also like to see the railway extended north, and I am sure members are also keen to see that. I would prefer to see many of our commuters diverted onto the railway system during peak hours, rather than use private motor vehicles, and thereby reduce the demands on the freeway system during peak hours. I look forward to receiving a definitive answer from the Government on when the railway will be extended to Clarkson. It is something about which I am confused. I tend to take the word of the Minister for Transport on this, rather than that of the member for Wanneroo, which suggests that at this stage no final time line has been set for the construction of the railway to the Clarkson area because it is yet to be funded.

I was pleased to see in the *Wanneroo Times*, last week I think, that the member for Wanneroo has now picked up Labor policy and is arguing for the railway line to be extended further than the southern end of Clarkson, as proposed by the Government, to Hester Avenue, a little further north. The Australian Labor Party has been arguing long and hard for that. If I remember correctly, during the last state election campaign, when the member for Wanneroo was the Liberal candidate for the state seat of Wanneroo, he and his party ridiculed the ALP for suggesting that it should go as far north as Hester Avenue. He told us we were all terrible people for even suggesting that option. I am glad that he has realised the merits of the ALP's argument that the railway line should be taken up to Hester Avenue so that it can properly service all the rapidly expanding suburbs of Merriwa, Quinns Rocks, Clarkson and Mindarie. People there cannot work out why we would put a railway station in the southern end of Clarkson, in the middle of the bush away from where anyone lives. We should take it further north or have a station at Clarkson and another one at the northern end of developments at the top end of Merriwa. Either way there is a need for the railway line to go further north than is proposed. I support the member for Wanneroo in his calls for it to be taken further north. I hope that the Minister for Transport will listen to his arguments, although the member has an interesting way of winning over the Minister for Transport to his line of reasoning! I hope the railway will be extended as far as Hester Avenue as soon as possible. I could raise a number of other issues concerning the northern suburbs this afternoon. However, it is not my intention to do that. People often think that only a couple of issues such as railway lines and extensions to the freeway are of concern to people in the northern suburbs. However, an enormous number of people live in the northern suburbs these days. Each and every one of them has issues they want to see addressed, as do members' constituents in every other electorate in Western Australia.

One issue is overcrowding in our schools, which is becoming a disgraceful reflection on this Government because it has not been building enough new primary schools. As a result, the number of students in primary schools such as Kinross, Clarkson, Merriwa and Quinns Rocks is approaching 1 000. That is an absolute disgrace. I understand the members for Rockingham and Peel face similar situations in their rapidly expanding suburbs. The money has been included in the budget, but it has not been spent. That should be seriously addressed and not just once every four years at election time. I am sure we will see promises to build a bevy of schools in the next 12 to 18 months as the election approaches. We must be meeting that demand between election times rather than only near election times.

I could go on with issues of concern in the northern suburbs but I will not do that this afternoon. The issues I have raised should be considered by the Government, particularly water which is a major issue that must be addressed. We must ensure proper follow up occurs regarding all the issues that arose from the Royal Commission into the City of Wanneroo.

Finally, all the infrastructure requirements in those rapidly growing suburbs of the northern region of Perth must be addressed. The people there are entitled to a quality and standard of life that will make their future a rosy one.

HON NORM KELLY (East Metropolitan) [2.45 pm]: I will speak briefly on a couple of matters this afternoon.

Hon B.K. Donaldson: Is it about carting drinking water?

Hon NORM KELLY: I can extend my speech if Hon Bruce Donaldson wishes. I refer to the ruling just after lunch regarding the disallowance procedures covered under the Land Administration Act. Although I accept and appreciate the fact that you made that ruling, Mr President, it is important that members be made aware of another disallowance mechanism that is different from those contained in either the Interpretation Act or in other statutes. Although the Land Administration Act is only a couple of years old, it was important when it was passed that it contain such a disallowance procedure in relation to removing the A-class status from our reserves to allow for development.

The motion of which I gave notice concerned an A-class reserve on the edge of Jervoise Bay which will now become available for the development of marine infrastructure worth almost \$200m of state and commonwealth funds.

It is important to ensure that the protection of A-class reserves is not diminished and this mechanism for disallowance provides such a protection through the parliamentary process. Unfortunately, in this case, due to the exquisite timing of the tabling of the proposal from the Minister for Lands, there is an inability to give notice of such a motion when Parliament resumes in August. We missed by a day and unfortunately we will not have this process, not necessarily for disallowance, although disallowance should be supported, but for at least the opportunity to debate once again the proposed development on Jervoise Bay.

Members may recall a recent metropolitan region scheme disallowance motion moved in this place about a month or two ago on which much debate took place. Although the vote was decisively against disallowance - I think that only five of us supported it - a good number of questions were raised by Hon John Cowdell about assurances the Government should

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provide concerning certain aspects of that development. My understanding is that those guarantees have not been given by this Government. For that reason alone, it would be valuable to revisit the issue to see whether it has progressed since that initial disallowance debate.

Although I cannot go into great detail on other matters on the Notice Paper, I remind members that Order of the Day No 30 on today's Notice Paper is Metropolitan Region Town Planning Scheme Amendment Bill 1998, which I introduced in August last year and which refers to disallowance procedures within the Act.

There is a need for some consistency between various Acts, such as land administration interpretation Acts and metropolitan region town planning scheme Acts, to make it far easier for the public to know what processes are available through Parliament in disallowance matters. One Act allows 14 sitting days before a matter must be resolved and other processes, such as the standing orders, allow 10 sitting days. Under the Land Administration Act, 30 sitting days are allowed from the date the motion was first moved. In the Jervoise Bay issue, I have tried to explain to constituents how Parliament works and when their eyes glaze over I realise how much this place can be out of touch with the real world. Members who have a business background know how the real world operates and how removed this place is from that real world. It is good to touch base with the real world every now and again to remind ourselves that we must smarten up our game, not only in cases such as this but also in the way we progress business, sitting hours and the like. A vast array of things can be done to make this place more businesslike and, in that process, get far more respect from the people of Western Australia for the way we go about our business.

I want to refer to a couple of issues in this debate, mainly sex and drugs. First, I refer to prostitution and the failure of this Government to adequately deal with the current situation of insufficient laws to regulate the sex industry in this State. The containment policy, which has been around for three decades, has failed during that time. The Government has failed - previous Governments have also failed - to adequately address the issues revolving around the sex industry in this State. The current policy facilitates police corruption and, in my work with people in the industry, I have been told on numerous occasions of instances where this corruption takes place. That is such things as police officers demanding free sex from sex industry workers; the provision of drugs to sex industry workers from the police; and workers being harassed at home by telephone calls. These women have silent numbers and yet those numbers seem to be readily available to certain men, who then telephone and harass them.

Hon Derrick Tomlinson: Do you have evidence?

Hon NORM KELLY: I have evidence only insofar as I believe the people who told me these things.

Hon Derrick Tomlinson: Have they told you?

Hon NORM KELLY: Yes, I have been told of these things. I do not necessarily believe everything I hear. I take people on face value and based on my history of dealing with them. I have very good belief that what I have been told is quite true.

Hon Derrick Tomlinson: I agree with you. The problem we all confront when presenting these statements publicly is that the rejoinder is "Prove it." Unfortunately you are going on the hearsay evidence of people who are too easily discredited.

Hon NORM KELLY: That is right, and that is one of the benefits of this place where we can raise these issues under parliamentary privilege. It is the perfect example of where such issues can be raised, and it is a proper use of this place. I am talking about people in an untenable situation who are being harassed by police officers. They cannot complain to the police because they rely on the police for their livelihood and they know how easily the police can take it from them. In that sense these people have no outlet. The Minister for Police may argue that they can go to the Ombudsman or the Anti-Corruption Commission.

Hon Derrick Tomlinson: How can they when what they are doing is not lawful?

Hon NORM KELLY: Exactly. Inevitably, it goes back to the sex industry being controlled by the vice squad. I am told that officers are in the vice squad because they are the best at vice!

Hon Derrick Tomlinson: And always give good advice.

Hon NORM KELLY: I was vice captain at school, because they reckoned that I was the best at vice in those days! The Government is failing this industry. People may have ideological views about what should or should not occur in the sex industry, but that should not prevent the Government introducing legislation in the Parliament so that the issues can be debated and thrashed out. It involves a wide range of issues.

The briefing note on the proposed prostitution control Bill 1998, provided to government members in December last year, gives a good idea of where the Government is heading with its legislation. I was able to obtain a copy of the briefing note in January, and gave some feedback of the problems the Democrats have with the Government's proposal. Unfortunately, it was not publicly proposed until this briefing note was tabled in Parliament. I will run through some of the issues. I have some difficulty with the title of the proposed Bill - the prostitution control Bill - and the provision for the formation of a prostitution control board. That puts a wrong and negative connotation on the whole matter. The word "control" should be removed and replaced by "regulation", so that the Bill would become the prostitution regulation Bill. It may seem a minor detail, but it sends a very strong message of the Government's intentions.

The proposed prostitution control board - or prostitution regulation board, as the Democrats would prefer it to be - will be made up of ministerial appointments and the Commissioners of Police and Health. It is 100 per cent government dominated, with no certainty of representation from the sex industry or other relevant people. The minister may choose to appoint those

people, but there is no guarantee. In the briefing note the Government proposes to set up a prostitution advisory council, as a non-statutory body comprising representatives from the community and the prostitution industry, and principal government agencies interested in regulating prostitution. That advisory body will give advice to the control board. That level of expertise and experience should be more centrally located in the principal board, not necessarily be dominant but have reasonable representation on the board to provide better interaction between industry representatives and government representatives in formulating regulations and actually regulating the industry. The Government's lack of consultation on this issue is a matter of extreme concern. At page 2 of the briefing note, under the heading "Why have the industry and the community not been recently consulted", reference is made to a number of reviews and reports.

They also refer to the report of the community panel on prostitution chaired by Ms Beryl Grant. The Government stated that the community panel carried out the consultation. When I asked the Minister for Police, through the Attorney General in this place, about the consultation, the Attorney General replied it was unnecessary to further consult. He referred to the Grant report and claimed that nothing significant had changed in the intervening eight or nine years. However, the Grant report estimated 400 or 500 people working in prostitution, of whom 200 were in brothels, and the remainder worked from home, in escort agencies and the like. The briefing note estimates that over 3 000 people are now involved in prostitution.

Hon Max Evans: Does Meg Lees have that subject to the GST? Interesting, is it not?

Hon NORM KELLY: I am not sure. That is one of the problems with its being an illegal activity. I am sure that if the Government were willing to legalise the activity, we would be willing to sort out any taxation arrangements.

Hon M.D. Nixon: Prostitution is not illegal.

Hon NORM KELLY: The events surrounding prostitution are illegal. If it is not legalised, it should be decriminalised.

Hon Derrick Tomlinson: The income is taxable.

Hon NORM KELLY: The Australian Taxation Office has a good system to ensure it keeps a good check on the industry.

Hon Max Evans: We would have 3 000 new taxpayers taking the GST for us.

Hon NORM KELLY: That is right. They are providing a service. As long as the Government provides a form of proper regulation, it could be subject to a GST. However, now that the Minister for Finance has raised the taxation argument, as a result of the good negotiations of the Australian Democrats with the Federal Government, a GST exemption will apply for naturopaths, acupuncturists and the like. I am sure it could be extended to the sex industry as a therapeutic body service.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon NORM KELLY: Before we deteriorate too much, complaints have been made about the Attorney General's attitude to proper consultation on this issue. He is willing to accept that there has been a seven or eightfold increase in the number of people in the industry. This is outlined in the Government's briefing paper. However, it is also claimed that no significant change has occurred in the industry in that time. The two positions do not match. It is acknowledged that the earlier figures did not include transgender workers and the like and workers in different country areas. Consultation is needed to bring out such detail.

Other issues are involved. I will not go into these in great detail. I refer to the location of sex industry premises. New South Wales enacted legislation to ensure that such premises were 50 or 100 metres from schools, churches and the like. This virtually ruled out all areas except industrial areas. People have suggested to me that that is where they should be located. Safety issues arise as workers travel to and from the otherwise empty industrial areas at the time of their work. For every solution, one can find a problem to address. That is why the Government should have the issue out in the public forum to have a proper and legitimate debate.

The Government has failed to adequately cover street workers in Northbridge. It is a veritable moving feast. Six months to a year ago, they were around the Hyde Park area causing problems for local residents relating to traffic, drug use and different characters in the area. The vice squad moved the women along to Stirling Street and put in place some informal regulations on the hours they could work, and the ways they could go about their work. It is at the whim of the vice squad to change the unofficial regulations. That is why workers are being photographed, and records are being kept by the vice squad. I have serious concerns about the extent - I have asked questions in this place on the matter - of the records kept on sex workers, and their accessibility for police generally. Stories have been recounted to me of women pulled over on minor traffic offences, and following a drivers licence check, police returning with the knowledge that the women are working in the sex industry. It is a large concern. As the vice squad is in control of the industry, the workers do not have an outlet to legitimately voice their complaints for fear of retribution by the vice squad. I am not sure of the extent of corruption in the vice squad. While the Government maintains the policy of containment under the vice squad, it will always be under the perception at least of some level of corruption in the squad. Brothel workers must have regular two-week or four-week health checks as required by the brothel madam. Usually, madams require a health certificate which is current at least three days before a worker starts work. One already has a level of self-imposed regulation.

Hon Derrick Tomlinson: I fear that that is not the case in some brothels.

Hon NORM KELLY: That is right. We can talk about premises inside and outside the containment policy. My understanding is that the difference between them is negligible. The Police Service is controlling those within and without the containment policy. It relates to how the houses are run, the thoroughness of the health checks and the stringency of the

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madams in imposing conditions. I am not too sure of the best solution. Should it be mandatory or not? I have heard good points from both sides of the argument from people in the industry. Another issue which should be debated thoroughly in public is age limits for people working in the industry. That issue causes some problem. The general consensus is for an age limit of 18 years to be imposed, some people have suggested 16 years, and others would prefer something into the twenties. It is necessary for a certain level of sexual maturity for women entering this industry. It is probably a good idea that women should be at least a couple of years older than the age of consent before working in the industry. Men working in the industry are probably in the same position. The age limit for them should also be a couple of years above the age of consent, so 18 years would be a good age for men working in the industry. Of course, we will have to make sure we get another Bill dealt with by this House so that we can ensure that male-to-male workers can start working from the age of 18 years.

Advertising is another issue that has been mentioned to me. The Government's briefing paper referred to people being licensed and having to include their licence numbers in advertisements, in much the same way as motor vehicle dealers advertise licence numbers. We do not have a real problem with that. There is also the issue of the use of words in such advertising. Last year or the year before when we were dealing with the Osteopaths Bill, representations from various masseur associations and massage groups indicated that they were concerned that upcoming prostitution legislation might not cover the fact that massage should be either better defined or maybe not even mentioned in any advertisements for sexual services, because there is the problem of cross-over between the two industries.

Hon Bob Thomas: It is unfortunate, isn't it?

Hon NORM KELLY: It is. They are some of the issues that I take this opportunity to raise because the Government has failed to bring up these issues in the Parliament.

Hon Bob Thomas: Again.

Hon NORM KELLY: Again. However, I must say that there has been a failure on the part of not only this Government but also of previous Governments to adequately address this issue. Ignoring it will not mean that it will go away; it will remain. More people's rights will be abused simply because this issue is under the control of an organisation within the Police Service that is not totally corrupt but is under the control of some officers who are corrupt and who will abuse the position of power they will have in the regulation of such an industry.

I urge the Government, if it is still having problems with its sixth or eighth draft of the prostitution control Bill, to bring this out into the public arena in order to get public debate under way. The Government should listen to the concerns and the wishes of the public in getting proper reform to help not only those involved in the industry but also those not involved, because many people who are not involved are crying out for reform because they can see the abuses going on in the industry and the hypocrisy of this Government in failing to act on the issue.

I will briefly touch on a final issue before concluding. That issue concerns liquor stores in this State.

Hon Bob Thomas: You are not going to bag my mates at Liquorland, are you?

Hon NORM KELLY: Only if the member wants me to. There are three concerns relating to liquor stores, as well as the wider liquor industry, that have come to light in recent months. These concerns involve the licensing process and applications for licences. I was informed recently of a couple of decisions of the Liquor Licensing Court which are causing great concern within the liquor industry. The Minister for Finance and for Racing and Gaming, as the minister responsible for this Bill, will respond, and I would like to get his comments on these issues.

The first decision concerned an application for a special facility licence by Manya Holdings Pty Ltd, which trades as Quick Cup, which is an office supplies company. That office supplies company was granted a special facility licence to sell packaged alcohol to its customers. The fax I received from the Liquor Stores Association of Western Australia states that the decision has far-reaching implications and opens the door to any retailer of goods to obtain a special facility licence to sell packaged liquor. It states that companies such as Sands and McDougall, Officeworks Superstores Pty Ltd, Pizza Hut, Coles Myer Ltd, Woolworths (WA) Pty Ltd and so on may now be able to obtain liquor licences to sell takeaway packaged liquor.

This clearly goes against the whole intent of what special facility licences are all about. The idea of a special facility licence is to cover the specific needs of various businesses which want to sell or distribute alcohol in a way which is not adequately covered under existing liquor licence categories. That is why a reception centre or a launch which wants to sell alcohol may request such a licence. I used to work for Captain Cook Cruises, and I believe it had such a licence, and it could legitimately sell liquor on its cruises up and down the Swan River. However, this recent decision of the Liquor Licensing Court could open the floodgates and enable companies to sell liquor throughout the State.

The second decision by the Liquor Licensing Court related to an application by Lakers Tavern to have a bottle shop in an adjoining shopping centre which was 125 metres away from the place for which the original licence was granted. The fax states -

Legal opinion indicates that all category A licences ie. including hotels, taverns, liquor stores, cabarets, special facility licences may use this loophole to obtain satellite stores operating under the original licence.

2 or 3 such extensions operating perhaps 1 to 5 kms away will make licencing in this State a joke and undermine the authority of the Director of Liquor Licencing . . .

There are presently 1 465 category A licences in WA all of whom now have the ability to get an extension of their premises to operate satellite premises.

I realise the minister does not have control over Liquor Licensing Court decisions. However, these decisions raise serious concerns within the industry about what can be described as a deregulation of the licensing system. There is a concern that there could be a proliferation of licensed outlets throughout the State. This is not what the Liquor Licensing Act intended and it goes against the Government's stated policy of regulating the sale of liquor to ensure responsible serving of it.

There is a requirement to establish a need before a new licence is granted. However, these new decisions fly in the face of that. If there is a proliferation of these additional outlets, it will destroy the regulatory process and the orderly distribution and consumption of alcohol. It will mean that legitimate businesses will become more marginal, and unfortunately it will put more pressure on them to sell liquor in ways which are not conducive to proper and responsible consumption of alcohol in our society.

The third issue with regard to licensing of liquor outlets relates to service stations. The Government has stated a desire to introduce legislation to ensure that service stations will not be allowed to have liquor outlets, in much the same way as the Victorian statute contains such a prohibition. This was stated or raised as a concern.

Hon Greg Smith interjected.

Hon NORM KELLY: This issue was raised earlier this year when an application was made at Busselton for a service station to be granted a licence. That licence was denied, but not on the grounds of its being a service station, but because of an unmet need in that area for an extra licence. Further to that, many people have concerns. A number of applications have been received from Gull in this State, and I am well aware that others such as Woolworths, BP, Shell and the like are looking very closely at what is occurring in the Liquor Licensing Court.

Hon Max Evans: Which is being driven by lawyers.

Hon NORM KELLY: Once one or two decisions are made in the court, a concern is held about the opening of the floodgates. It is an issue about the responsible serving of alcohol and the dangers of the impulse purchasing of alcohol. People who sometimes argue that service stations should be allowed to sell alcohol compare it with a drive-in bottle shop, whether it be a liquor store or a hotel. At least at a drive-in bottle shop a person makes a conscious decision to enter that driveway to purchase alcohol. A service station can be different; it can sell petrol, food or whatever. If alcohol is sold there, it can become a choice for a consumer between a can of beer or a can of soft drink. That is one of the dangers of allowing liquor outlets at service stations. There is wide agreement that exemptions would be allowed for outlets such as roadhouses that are a certain distance away from any other available outlets. Paynes Find would be covered under such a provision in the same way that I believe Rocky Gully, which has a liquor store, is allowed to trade on Sundays simply because no other liquor outlet is within a certain distance. When no other outlet is within a reasonable distance, it is reasonable to make exemptions for such outlets. They were the three issues about liquor stores. There are a number of other issues of government inactivity or lethargy in introducing legislation, especially in the regulation of prostitution. Apart from that, we support the Bill.

HON MAX EVANS (North Metropolitan - Minister for Finance) [3.22 pm]: I remind members that this is Appropriation (Consolidated Fund) Bill (No 1) 1999. An estimated total amount of \$7 254.2m is to be expended next year. I commend the Bill to the House.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate, and passed.

SITTING OF THE HOUSE

Extended beyond 5.00 pm

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [3.23 pm]: I move -

That the House continue to sit beyond 5.00 pm.

I move this motion on the basis that we may still be debating the budget Bills at 5.00 pm and clearly and obviously I would like to finish them today. The only Bills that need to be proceeded with at this time are the Appropriation (Consolidated Fund) Bill (No 2) and the Loan Bill. Once those two Bills have been dealt with, it is my intention to adjourn the House.

Question put and passed.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 2) 1999

Second Reading

Resumed from 17 June.

HON LJILJANNA RAVLICH (East Metropolitan) [3.24 pm]: I take the opportunity to comment about the role of the Auditor General, perhaps the changing role of the Auditor General, and specifically relate it to the very important work which is done by the Office of the Auditor General. I will touch on the official role of the Auditor General's Office; that is, through performance auditing, it enables the Auditor General to meet Parliament's need for independent and impartial

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strategic information regarding public sector accountability and performance. I think that the Auditor General does his job very well. It is one office which deserves praise for the objective work it carries out.

Hon Tom Stephens: Limited by the resources allocated by this sort of appropriation Bill.

Hon LJILJANNA RAVLICH: Exactly right. This is something that I will be coming to because, as I understand it, some changes are proposed for the role of the Auditor General by this Government. We must ensure that it does not take the Auditor General away from his core functions and we must ensure that the Office of the Auditor General is appropriately resourced. The 1999-2000 budget papers clearly spell out an emerging trend that the public sector reforms require the Office of the Auditor General to keep pace with change while at the same time discharge its audit mandate.

The key area, the impacts of which the Auditor General has outlined, includes the greater involvement of the private sector in delivering public services, which raises many varied and complex dimensions to the audit function. I take the opportunity time and time again, as I have today, to bring to this place my concerns about that interface between the private and public sectors and the role of government. The Auditor General has produced three reports which were tabled in this place yesterday. As a part of his audit function, the Auditor General has a role to perform in monitoring the way in which public moneys are expended to ensure that no misappropriation occurs and that taxpayers get value for their dollar. He produced a report yesterday titled "Lease Now and Pay Later". I found some very interesting information in that report.

The DEPUTY PRESIDENT (Hon J.A. Cowdell): Order! The debate must be related to the line items that are provided for in this Bill. With respect to the Office of Auditor General, the line item is an amount of \$302 000. This is not the ordinary annual appropriation; it is for capital items. I fear that the member has not only gone on to ordinary annual appropriations, but is going on to the reports of the Auditor General of yesterday. It would be out of order for the member to speak about those reports. The member must relate her comments to the adequacy or otherwise, if she is talking about the Auditor General, of the \$302 000 and the capital items for which that amount is appropriated.

Hon LJILJANNA RAVLICH: I seek some clarification, because in bringing this matter to the House I have endeavoured to seek more information about the specific allocation of that \$302 000 to a capital item. I wonder whether the Deputy President or someone from the Government side can enlighten me as to specifically what that allocation is for. I was aware that this was not a free ranging debate; I knew there would be restrictions so I referred to the second reading speech and found that it basically did not provide any information apart from stating -

The purpose of this Bill is to grant supply and appropriate sums for capital services for the 1999-2000 financial year as detailed in the consolidated fund agency information in support of the Estimates.

That did not give me any assistance.

The DEPUTY PRESIDENT: The member may question or speculate what the money is for. The Chair is not in a position to answer questions without notice on that line item.

Hon LJILJANNA RAVLICH: I do not know how these matters have been dealt with historically but it is not adequate for so little information to be presented to this place about the specific purpose of the allocation for each of the agencies. I understand I may have an opportunity to raise matters of concern in debate on another piece of legislation to be dealt with by the House and I will explore that opportunity. However, this highlights a problem. The point I have been attempting to make is I went to some length to determine whether I could find the relevant information in the second reading speech. There was nothing in that so I went to the Bill and the explanation of clauses and there was nothing there. How can anybody come into this place and make a speech on a specific line item relating to a capital item when they do not have any information about what that expenditure has been ear-marked for? This is hopeless. It restricts the contribution of members in this place and it is not in the public interest for so little information to be provided. I call on the Government or the minister responsible to ensure that in future we receive detailed information so we do not go through this nonsense of my first conducting a fruitless search and then after preparation - albeit limited - to bring a matter which I consider to be urgent to this place, being told that I do not have sufficient information about what this line item deals with. I express my frustration and disappointment with the lack of information the Government has provided about the Appropriation (Consolidated Fund) Bill (No 2) 1999.

HON MAX EVANS (North Metropolitan - Minister for Finance) [3.33 pm]: I commend the Bill to the House.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate, and passed.

LOAN BILL 1999

Second Reading

Resumed from 17 June.

HON LJILJANNA RAVLICH (East Metropolitan) [3.34 pm]: I have just received the Loan Bill and had a quick glance at it. I note that under this Loan Bill -

The Governor may borrow sums of money, not exceeding in the aggregate the sum of \$260 000 000, from the Western Australian Treasury Corporation or elsewhere for the purpose of the redemption of loans raised by the Commonwealth on behalf of the State under the Financial Agreement with the authority of Loan Acts.

I am not au fait with Loan Bills and I seek the Deputy President's guidance as to whether this is an opportunity for a broader debate in which I can raise my concerns about the Office of the Auditor General, the future of the State Supply Commission and the impact that will have on the Office of the Auditor General. I seek some clarification about that.

The DEPUTY PRESIDENT: Perhaps the member might like to -

Hon MAX EVANS: Mr Deputy President -

The DEPUTY PRESIDENT: Is the member seeking clarification from the minister?

Hon LJILJANNA RAVLICH: I am seeking clarification from you, Mr Deputy President.

The DEPUTY PRESIDENT: Could the member run through what she is seeking clarification of?

Hon LJILJANNA RAVLICH: Mr Deputy President, you would be aware of the situation I find myself in. I am seeking clarification as to whether there is some scope under the provision of the Loan Bill 1999 to raise my concerns about the Office of the Auditor General and the financial impact of the proposed changes to that office.

The DEPUTY PRESIDENT: I advise the member that because the Loan Bill is a Bill which this House cannot amend, she has more scope to raise issues.

Hon LJILJANNA RAVLICH: I thank you for that ruling, Mr Deputy President. I appreciate it although members opposite will not. I will not hold the House for long but I have some concerns about the Office of the Auditor General and the proposed changes to that office's role. Members will be aware that many government agencies are changing the way they operate and undertake their business. Contracting or procurement is a regular activity for many government agencies, to the tune of about \$5b to \$6b; that is the value of purchasing undertaken by the public sector. As a result of the Auditor General's investigations, we see that many government agencies are moving down the path of entering into leasing arrangements as well. I am concerned that the Auditor General brought down what in my view is a fairly damning report which indicates that not all is well with government agencies entering into leasing arrangements. It is apparent to me from reading the Auditor General's report - which I will not go through in detail - that government agencies are not subject to the same guidelines for leasing as they might be for purchasing. Members opposite will be aware that in 1996 the Government released a policy statement on government buying called "Buying Wisely". Many government agencies adhere to this document but I have often come across agencies which do not.

Clearly, the damning reports of the Auditor General and the work done by his office indicate that agencies should be subject to the same guidelines when leasing as they are when purchasing. One of the hobbyhorses I pursue in this place is that the public sector must be more accountable in the expenditure of taxpayers' money. Time and again we see evidence of government agencies, when purchasing, not carrying out the appropriate checks and balances to ensure they get the best deal for the Western Australian taxpayer. This is clearly evidenced by the report of the Auditor General who stated that in many cases there was strong evidence to suggest that no cost-benefit analyses were undertaken by agencies in making judgments on whether or not to lease. In the event that a cost-benefit analysis has taken place, there is scope for these agencies to consider the long and short-term impacts of embarking on such strategies because many government agencies are kidding themselves when they see savings in the short term. Without a proper cost-benefit analysis, those savings over a period could result in a cost to the agencies and the agencies will be worse off because the lease arrangement does not prove to be cost effective, and that is not in the interest of taxpayers.

It amazes me that government agencies believe they have the power to enter into leasing arrangements without having any regard to whether they are getting value for money or whether the activity is in the public interest. I have spoken often about the need to carry out due diligence checks on suppliers to ensure they can honour their agreements, whether supplying goods or services or leasing equipment, and can maintain supply at the level stated in the agreement. That is clearly not happening in the public sector. There is much evidence that very little assessment takes place of the risks to the public sector when government agencies enter into either contracts or lease agreements.

A couple of years ago the Government produced its policy on risk assessment only and for some time I have had concerns about risk management and the application of the Government's policy. I have asked many questions on notice about whether a risk assessment has been carried out by an agency before entering into a multi-million dollar contract. Time and again I am given the same response, as I was given on 10 March 1999 from the Minister for Transport in regard to a \$32 400 contract. This is a small amount of money but it is still taxpayers' money and the response is typical. If members want to refer to a whole swag of questions to provide evidence that government agencies do not carry out risk assessments, they need only go to the Supplementary Notice Paper of 16 June 1999 to see the typical response that I get from government ministers and their agencies when asked whether a risk assessment was carried out on a contract. The same applies to leasing arrangements. The response I received to question 1114 on 16 June was -

Contract and Management Services' risk management policy is outlined in a guide document that was released in September 1998, -

The policy is not even two years old. The answer continues -

- that is after the award date of this contract. This contract was for the provision of temporary reception services. Risk monitoring specific to this contract was not considered necessary.

That is just one contract, but with \$6b worth of purchasing of both goods and services by the Government, I am absolutely appalled at the small amount of attention it has given to the whole area of risk assessment including risk management of the

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contract development and implementation phases. Therefore, if members are interested in looking at responses to parliamentary questions, I am sure they will be horrified as they clearly demonstrate that government agencies give zip attention to the whole area of risks.

Sitting suspended from 3.45 to 4.00 pm

[Questions without notice taken.]

Hon LJILJANNA RAVLICH: The point I was making earlier was that the Auditor General has much to do. The report on government leasing was very damning about what government agencies have been getting up to. In his report, the Auditor General outlined the examination of 23 lessor standard form contracts, 19 of which contained terms and conditions which unduly favoured the lessor and/or exposed the agencies to unnecessary risk. I am concerned about the direction of our government agencies and the lack of precautionary checking when entering into these arrangements. Part of the problem stems from the fact that the number of employees in the public sector has been drastically reduced. There may not be sufficient people to carry out the necessary precautionary checks. That is an issue. I do not think public servants are businesspeople; they do not necessarily have expertise in contractual arrangements. There are also budgetary pressures which are now forcing some agencies into leasing arrangements with long-term implications rather than their having the ability to purchase equipment outright. Therefore, it is no wonder the Government has sought Treasurer's advances to finance budget deficits. The extent to which government agencies are getting themselves into trouble is highlighted by one case in which a government agency borrowed money at a rate of 30 per cent to finance a leasing arrangement. I do not know what was being purchased but one does not need to be too smart to know that the going rate of market interest is between 6 and 8 per cent.

Hon John Halden interjected.

Hon LJILJANNA RAVLICH: Depending on where one gets it, one can borrow money at 5.5 per cent. It is disgraceful that anyone could condone a government agency borrowing money at 30 per cent. I do not know who was responsible but at the end of the day it is hard to believe how the person who made that decision could have passed the public service test and become a public servant in the first place. That is not a small error, it is a blatant waste and reflects very badly on the Government.

The Auditor General has much work to do in keeping track of government agencies and unfortunately there is mounting pressure for the Auditor General's Office to take on additional responsibilities. That is of great concern to me. Members may be aware that the review of the State Supply Commission Act was tabled yesterday. I will not go through the detail of the report. It is extensive and was conducted by the same group which reviewed the Legal Aid Commission. It has been no secret to people who are tuned into what is happening in the public sector that the Government has had the knives out for the State Supply Commission for some time. The State Supply Commission is a regulator and policy maker about government procurement. I believe it has played a very meaningful role in this. However, as more responsibilities have been devolved to government agencies and more power has been granted to chief executive officers, a school of thought has developed among some government members that this government agency may not be of any value whatsoever and can be done away with. It is not a position I share and I do not believe it is a position that my colleagues on this side of the House share as we are not at all impressed by the extent to which this Government is doing business with the private sector. The idea of the regulator being taken out of the equation is abhorrent, given that we are talking about \$6b worth of government procurement.

What concerns me are the proposals in this report. I believe, unfortunately, the motivation for the report is wrong. The Government, in wanting to get rid of the State Supply Commission, commissioned this report and gave the review group a prescribed outcome which was to get rid of the State Supply Commission; and this is certainly the recommendation of this report. It will be interesting to see how this issue evolves during the next six weeks. However, the report recommends that the Western Australian Government should go down a very dangerous path. It proposes that the Auditor General should take on the task of monitoring. I do not have any problem with the Auditor General being increasingly involved with the monitoring of government procurement and leasing arrangements; however, as members would be aware already, the Auditor General does not have the capacity to audit all agencies on a regular basis. He conducts his audits on a basis whereby he targets a certain number of agencies each year. I do not believe he would have the capacity, given his existing resources, to be able to undertake particularly well the functions of regulating or monitoring. I therefore think it is a dangerous expectation to have of the Office of the Auditor General. Secondly, he could not perform this additional function without additional resourcing and there is no mention of that in this report. I do not know if there would be any conflict with his existing powers. However, as far as I am concerned, it is inappropriate to put these additional expectations on the Auditor General, particularly in light of the extensive amount of purchasing undertaken by this Government. The most damning part of the report that I am concerned about that must be exposed publicly is the notion that chief executive officers who are responsible for purchasing must also now be responsible for complaints. In other words, if the successful tenderer has a contract to supply goods or services that goes wrong - and we could be talking about multi-million dollar contracts over a long period - a complaint about the matter would be dealt with internally by the CEO of the actual agency, according to the recommendation of this review of the State Supply Commission Act.

I do not know about you, Mr President, but I cannot see any sense in that. It is the self-regulatory model that this Government so overwhelmingly embraces and yet it is fraught with danger. If the Government is so silly, so naive and so dumb as to want to go down that path, I reckon it can expect to lose a hell of a lot of money tying itself up in litigation. This is a very dangerous course of action and members on the other side of the House should give serious consideration to the implications of introducing such a strategy. I can tell members that when money is involved in financial businesses people can get very ugly when things go wrong.

Hon B.K. Donaldson: We saw that in the late 1980s with your Government losing millions.

Hon LJILJANNA RAVLICH: I can tell Hon Bruce Donaldson that we have never seen a contract. He should not sit there with a halo round his head. The bottom line is that this Government has been secretive.

Hon Max Evans: Come on!

Hon LJILJANNA RAVLICH: Come on? Where is there a contract? The Minister for Finance knows that we have never seen a contract. He is absolutely pathetic.

Hon Max Evans: I will give you another WA Inc lecture some day.

Hon LJILJANNA RAVLICH: I tell the Minister for Finance that when he leaves office there will be some major surprises. He will have committed many successive generations to poverty in this State by the time he is finished with this sort of nonsense. He has sold off just about every asset. He announced the other week that he would sell off AlintaGas. There is no need for these types of strategies. This will hurt the minister and he knows it.

Several members interjected.

The PRESIDENT: Order! I want to hear from Hon Ljiljanna Ravlich. She is not taking any notice of the interjections.

Hon LJILJANNA RAVLICH: In addition, this report recommends that government trading enterprises will be released from any of the current reporting and purchasing requirements. In other words, they would be a law unto themselves and could enter into their own multi-million dollar contracts, award their contracts and not be accountable to the State in any way, shape or form. This is dangerous stuff, Mr President. Many of the government trading enterprises already have a reputation for not supporting local industry and for not complying with open tenders. The other day I raised a matter in this House in relation to Integrated Power Services, and I was amazed at the secrecy in the Western Power Corporation's establishment about that joint venture company. The responses to questions which I received today reflect this nonsense. IPS is a company which is 50 per cent owned by Western Australian taxpayers and we cannot get any information on the activity of this company. I put it on record because this is an absolute disgrace and I do not think that Western Australians will continue forever to cop this nonsense from this Government. In question on notice 1641, I asked the Minister for Energy -

I refer to the Minister for Energy's briefing note October 10, 1997 to the Managing Director of Western Power Corporation regarding Western Power's joint venture company Integrated Power Services (IPS) and ask -

(1) Did the Minister for Energy ask for a copy of a confidential IPS Annual Report?

The answer to that was yes. The question continues -

(2) Did the Minister also request the inclusion of IPS in the Strategic Development Plan for the reason that "using public funds requires accountability"?

The answer to that was yes. The question continues -

(3) Given this reason, and the interests of accountability generally, will the Minister table the Annual Report and Strategic Development Plan?

The answer to that was no. The question continues -

(4) If not, why not?

The answer to that was that it was commercially confidential. At the end of the day if the Government wants to go into business it should use its own money. I received three answers like that and I cannot get any information at all on a joint venture company which is partly funded by Western Australian taxpayers.

Hon Derrick Tomlinson: Why don't you look at the Financial Administration and Audit Act?

Hon LJILJANNA RAVLICH: That is where it is going; Hon Derrick Tomlinson should not worry about that.

Hon Derrick Tomlinson: There is no doubt about you, you know where to look.

Hon LJILJANNA RAVLICH: I know where to look.

I asked another question of the Minister for Energy as follows -

(1) How many contracts have been awarded to Western Power's joint venture company Integrated Power Services (IPS) since its inception?

(2) For each contract, can the Minister for Energy state -

- (a) the project the contract was awarded for;
- (b) the date the contract was awarded;

and so on. What is the answer I get back? "This is commercial information."

This does not sit well with me. I do not have a problem with Brown and Root AOC spending its money on whatever venture it is interested in. However, if Western Power wants to invest on behalf of taxpayers in this State and that investment will be underwritten by the Western Australian Government, this place and Western Australians generally deserve some answers.

[COUNCIL]

What is proposed in this review of the State Supply Commission will make it impossible to obtain those answers. We are entering into a period in which the Government is increasingly shrouding information which should be publicly available with the veil of commercial confidentiality. That is a sad reflection on this Government. I have more to say about the review of the State Supply Commission, because it highlights recommendations that are fraught with danger. This review, combined with a range of reports from the Auditor General on the direction which the public sector is taking, highlights that the Government is entering into some dangerous waters and it should seriously consider the consequences of moving in that direction.

The message I bring is that the Auditor General has an important role to fulfil. He does not need to take on additional functions. The Government is attempting to give some credibility to the review of the State Supply Commission by saying that the Auditor General has a key role in the process and that the recommendations will be okay because everybody trusts the Auditor General. However, the role of the Auditor General will be minuscule and there will not be proper monitoring of government purchasing. Without substantial increases in the resources made available to the Auditor General, he will have no chance to undertake a proper review. We will end up with government agencies out of control spending millions and millions of taxpayers dollars and continuing to come to the Parliament for increases through the Treasurer's Advance. We see that time and again. We see government agencies such as the Education Department with a budget shortfall of \$50m, and a further expected shortfall of \$27m. A government agency will be advanced an additional \$77m during a period when the Government has rationalised schools, sold off ovals - you name it - and it still has a budget deficit of \$50m and more than likely will have an additional budget deficit of \$20m.

Something must be going wrong. We must heed the warning bells. If the Government's policy is about saving money, why are government agencies coming to this place cap in hand asking for additional amounts? Something is not working; the warning bells are ringing. I ask members opposite to heed those bells and react.

HON JOHN HALDEN (South Metropolitan) [4.53 pm]: The Opposition will support this Bill. The Bill obviously refers to the Australian Loan Council. I thought I would be brief in advising the House of its interesting history. It is an exposé of how federalism works in this country.

The Loan Council was set up in a voluntary way in 1923. By 1927 it was decided to formalise its role, and that was ratified in 1928. Originally its role was to coordinate how the States and the Commonwealth would borrow money and the Commonwealth would underwrite the borrowing. That was a fairly reasonable initiative. As time went by the Loan Council became an effective weapon in the Federal Government's fiscal policy. It was able to dictate to the States what their borrowing capacities would be and the size of their deficits. If the States ran contrary to the fiscal policy of the then Federal Government, of either political persuasion, the Loan Council was one of the weapons that the Commonwealth Government would use to draw the States back into line.

The power of the Loan Council and the taxation powers of the Federal Government increased in the 1940s when the Federal Government got all of the income taxing powers and had all the sales tax powers. The Federal Government was able to realistically monopolise the States' ability to self-determine on a range of fronts by virtue of those taxing powers, the Loan Council, and the revenue it gave to the States by either general or specific purposes grants.

As time went by and the demands on States become more complicated and their requirements in terms of services became more sophisticated, the States realised the Loan Council was an encumbrance on their ability to self-manage. To get around the problem the States borrowed money through either semi-government agencies or their own statutory authorities. That watered down the effect of the Loan Council. It is interesting that as a result of that it became obvious that the Loan Council was not performing any of the tasks it had been set up to do.

Hon Derrick Tomlinson: That was largely because the Commonwealth had control of the Loan Council through its composition.

Hon JOHN HALDEN: Yes, because of all those other variables. However, one would never know it by the voting strength. Although the States had the numbers, the Commonwealth had the power. It did not matter how the Loan Council voted, the Commonwealth got its way.

It was decided in the late 1980s that the arrangements in the Loan Council would be wound back. It was not until 1997-98 that more loans were negotiated by the Loan Council. A process was put in place over a number of staged five-year brackets so the States would pay off this debt. The Bill is part of that process. The previous Loan Acts were in 1991, 1995 and 1997.

This Bill seeks an authorisation to raise loans for up to \$260m for the purpose of redeeming maturing financial agreement debt. I note in the minister's second reading speech that at the balance of the authorisation - that is at 30 June 1999 - the redemption of maturing financial agreements debt is estimated at a little over \$10m. Also, the clause notes stipulate that during 1999-2000 interest to capital repayments and loan raisings are expected to total in the order of \$19m and that has been included in the consolidated fund estimates for this year. This is an obligation we have. The function of the Loan Council is now obsolete and has probably been obsolete from a state perspective for a considerable time. There is no necessity whatever for us to oppose such a measure. Bearing in mind the time, the day and also the pressure on me to sit down, I will do just that.

HON MAX EVANS (North Metropolitan - Minister for Finance) [5.01 pm]: From memory this is the last payment on the federal loans.

Hon John Halden: Is there one more?

Hon MAX EVANS: There may be a small one; I am not sure. New South Wales and Victoria had a similar arrangement for the sale and leaseback of trains, ferries and trams. New South Wales had a tranche of \$200m a year, which was a lot of money in those days. Victoria had a debt of \$625m for trains, ferries and trams. It was in overseas currency and it had a debt of \$1b virtually overnight.

Hon John Halden: It borrowed through a statutory authority, and that caused enormous financial pressures.

Hon MAX EVANS: It also found loopholes through creative accounting. As far back as 1927, before the Depression, the Loan Council was trying to keep the States under control. All the different Governments wanting to be re-elected were creating debt and expecting the Federal Government to bail them out. They could have sent the whole country broke. That is a bit like why we control the borrowings of our authorities. At the end of the day, the parent must bail them out. This is not about that; it is about paying out federal government loans. It has worked out well. At the Premiers Conference after the Premiers' meeting finishes the Federal Treasurer takes the chair and the Treasurers meet. I commend the Bill to the House.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate, and passed.

RAIL FREIGHT SYSTEM BILL 1999

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon M.J. Criddle (Minister for Transport), read a first time.

Second Reading

HON M.J. CRIDDLE (Agricultural - Minister for Transport) [5.00 pm]: I move -

That the Bill be now read a second time.

As part of the ongoing reform of the land transport sector, the Government has decided to sell Westrail's freight business and lease the freight railway. There will be a number of benefits to the State arising from this decision. We will introduce to the State an efficient, innovative specialist private rail operator committed to the sustainability of rail transport in a competitive market and willing to make the necessary investments to improve rail's market share. We believe that, as has happened elsewhere, the sale of Westrail's freight business will give a renewed stimulus for increased rail freight tonnages, better services, decreased freight rates and increased investment in rail infrastructure and rolling stock.

The wider community will also benefit from the introduction of such an operator. A significant amount of freight traffic has been captured from rail by our highly competitive road industry since the deregulation of the freight transport industry. While this may have meant lower freight rates, there have been community costs associated with this trend - the environmental costs of greater fuel use and the resultant pollution, higher road maintenance costs, and the social costs of road congestion and road crashes.

The freight market, including bulk freight such as minerals, grain and woodchips currently forming the core of Westrail's freight business, is growing strongly in Western Australia. Some individual bulk freight tasks are likely to double in volume over the next decade or less. It is crucial that rail be able to capture as much of this growth as possible to avoid a massive increase in heavy truck traffic. It is in the best interests of the community that we position rail as well as we possibly can to achieve this.

In addition, a more competitive and customer-focused rail freight sector has the potential to capture or recapture freight from road transport, including types of freight not currently carried by rail in this State. The short haul rail specialists which have been active in recent rail privatisations have already demonstrated their ability to do this; for example, in Tasmania, South Australia, New Zealand and the United Kingdom. In some cases, commodities that have been carried by road for many years are now being transported on rail by these operators. There are significant and long-term environmental and social benefits to be obtained by such a transfer.

The Government's decision not to sell the rail corridor and track will ensure that these strategic state assets remain in public ownership and allow the State to maintain ultimate control over track standard and capacity and service continuity, to the extent of being able to intervene to ensure continuation of services in the public interest if necessary. The new operator will have an agreement which allows it to use the corridor land for railway purposes only, and the corridor will also be available to the railway operator and others for non-railway uses provided such uses do not interfere with the safe and efficient operation of the railway.

The Government's decision to lease the track and corridor to the purchaser of the freight business to permit a vertically integrated operation will allow for -

- maximum economies of scope and scale;
- maximum responsiveness to customers' needs and new opportunities;
- integrated above and below rail investment;
- capital investment in the infrastructure greater than government can provide; and
- minimisation of costs on low volume routes.

[COUNCIL]

While I know that some people have been pressing for vertical separation of Westrail into a track owner and a train operator, the clear advice to the Government is that this would lead to a loss of efficiency, to the detriment of users, the economy and ultimately the State as a whole. As the Productivity Commission concluded in its recent draft report entitled "Inquiry into Progress in Rail Reform", "vertical separation is unlikely to deliver any significant competitive gains for low volume regional railways" and, "far from improving the performance of low volume regional railways, vertical separation may actually impair it." By any objective measure, most of Westrail's freight network is a low volume regional railway with only the south west main line a high volume railway relative to its capacity. Even the east-west standard gauge line, which carried about 30 per cent interstate and 70 per cent intrastate traffic, operates at only 60 to 70 per cent capacity. Nevertheless, the Government is strongly in favour of on-rail competition where this will benefit the public and the consumer. That is why the new railway operator will be required to allow other rail service providers to have access to the railway within the framework of the State's rail access regime. This regime ensures third party access to the railway network on fair and reasonable conditions so that, where a market is suitable for competition, competition can occur. The National Competition Council is currently evaluating the State's access regime for certification as an effective regime under the Trade Practices Act.

In addition to the benefits I have just outlined, the proceeds from the sale will provide the opportunity to retire a significant amount of state debt, and reinvest in vital state social and economic infrastructure. However, it must be emphasised that the decision to sell Westrail's freight business is not just about money. While obviously the Government wants to obtain the best and fairest price for such an important state asset, this consideration is secondary to ensuring that the long-term best interests of the State's industries and communities are served. That is why there has been extensive consultation with affected parties, as a result of which a number of conditions will attach to the sale which relate to continuity of service, completion of existing upgrade commitments, third party access to the track, protection of existing contracts and fair treatment of transferring staff.

In respect of staff, the Government intends to finalise a transfer and employment package as soon as possible to be offered to staff. The package will form part of the conditions of the sale of the business. This will enable staff to make career decisions in an environment of certainty well before the sale actually takes place.

This Bill will provide the legislative authority for the Government to sell Westrail's freight business and the associated assets other than the freight railway corridor. To achieve this, the Bill provides for -

- establishing a rail corridor minister to exercise powers on behalf of the State in respect of the freight railway corridor, including the power to dispose of interests and rights of use no greater than leasehold;
- conferring powers on the minister and Westrail to dispose of the rail freight business;
- removing the freight railway from the control of the Government Railways Act 1904, designating it as "corridor land" or "land other than corridor land" and placing it under the control of the rail corridor minister;
- cancelling the designation of corridor land if the agreement permitting its use is terminated, and providing for the land to be redesignated as a government railway in such a case;
- placing the rail corridor on an equal footing to a road corridor in respect of exemption from state land taxes and local government rates; and
- extending the application of the state rail access regime to a private operator of the Westrail network, and amending the Government Railways (Access) Act 1998 accordingly.

This Bill is a necessary step in the Government's ongoing reform of the land transport sector and will ensure that rail in this State continues to be a viable and efficient alternative to other modes of transport for many transport tasks. It is important to note the background to the Government's decision. The Western Australian Government Railways Commission, trading as Westrail, was established in 1904 to operate railways and rail services to ensure regional areas and industries were served with transport services in the days when roads were few and road transport services inadequate. Government had to provide the rail services as the private sector in this country had limited ability to do so, even though some of the railways were initially established by private investors. For many years, railway freight services survived through public subsidies and through cross-subsidies between users, because, for various reasons, many of the services were not commercially sustainable. Regulation protected the railways from competition from the increasingly efficient road freight transport industry until the deregulation of freight transport, which commenced in the 1980s and was completed in 1995. However, such protection, combined with a relative abundance of government financial support for commercially unsustainable services, meant that there was no incentive to improve efficiencies or introduce innovations or services in response to customers' needs. The result was an inefficient government monopoly charging comparatively high freight rates for notoriously poor service, despite being subsidised heavily by the taxpayers.

A trend that began in the 1980s, and accelerated through the 1990s, was to progressively expose the railways to competition, forcing them to behave commercially, increase productivity and eliminate, or at least minimise, inefficiencies. This was driven both by the demands of consumers, who were no longer prepared to accept the damage to their own competitiveness imposed by high freight rates and poor service, and by the increased competing demands on, and diminishing availability of, government funds to continue subsidising the railways at such high levels.

Westrail responded well to these changes in its environment, emerging from an undeniably tough reform process to become a leader in its field acknowledged as the most efficient government-owned railway in Australia. Westrail's freight business no longer relies on government subsidies and now delivers a respectable profit. This remarkable result is to the credit of staff at all levels within Westrail, who have been dedicated to improving Westrail's performance in an increasingly demanding market. However, the environment for rail freight continues to change rapidly in Western Australia and in Australia generally. National competition policy has accelerated the introduction of the concept of third-party access to

major infrastructure facilities, increasing competition in the provision of services that depend on such natural monopoly infrastructure. The Westrail network is one of the facilities to be opened up in such a way. For some years Westrail has been competing with road and it will be now also exposed to on-rail competition. Certain industries which have been "captive" to rail because of the nature of their transport needs will now have the potential to reap the benefits of on-rail competition similar to those already enjoyed by other industries where road and rail compete for their business.

Many of the potential competitors for Westrail's freight business who are about to be entitled to operate trains over the Westrail track are lean, efficient and commercially focused private rail operators prepared to move quickly in response to customers' requirements and to aggressively seek business. They are innovative, willing and able to take commercial risks and are motivated by a great belief in rail and its potential to deliver substantial benefits both commercially and to the economy and the environment. Westrail, like many government railways in Australia, has become dependent on a few very large contracts, which makes it particularly vulnerable to aggressive competitors. Seven contracts in five commodity groups are responsible for more than 75 per cent of Westrail's freight revenue. The loss of any one of those contracts would take a significant bite out of that respectable profit I mentioned.

In addition, the nature of Westrail's current freight business makes it susceptible to fluctuations in world markets for the export goods that it transports, or, as happened last season, to weather-related reductions in the grain harvest. To make matters worse, years of tight capital budgets have left the rail freight network in need of substantial investment to bring many rail routes up to the standards demanded by customers who are themselves competing in cut-throat global markets. Westrail faces the prospect of having to significantly increase its debt burden to meet its customers' demands even adequately, let alone to a world-class standard. Westrail already pays about \$114 000 per day to service its existing freight-related debt despite recent reductions in interest rates obtained from loan renegotiations. It may have difficulty servicing a significantly larger debt, especially if one or more of its big contracts went to another operator or the rates were forced to less profitable levels to retain the business. There is a risk that freight rates will have to rise, or taxpayer-funded subsidies would again be sought in order to maintain a viable rail system. The Government simply does not have the money to make the necessary investments in rail, given the ever-increasing demands for resources in other areas more unequivocally core responsibilities of the State. In short, Westrail has served the State well in the past 95 years, but it has effectively reached its peak in terms of the price and quality of its rail freight services. It has gone about as far as it can go under government ownership. The next step forward, in an environment of on-rail competition, will need a level of commercial and investment acumen and innovation that is available only in the private sector.

Western Australia's industries and communities deserve the best railway and rail freight service possible, and it would be irresponsible to condemn them to second-best when we know we can achieve something better. That is why, after seeking independent advice from rail and market experts, after discussing the relevant issues with key stakeholders and listening to the ideas and concerns of users and the community, and after very careful consideration of all the implications of a range of possible options, the Government has decided that it is in the best interests of Western Australia for the Government to step aside and invite the private sector to take over the provision of rail freight services in this State. The Government appointed a task force to examine all the issues and make recommendations on what should be disposed of and how, what should be leased or sold, and the conditions under which it should all happen.

A statement was released on 25 March 1999 encapsulating those recommendations. The Rail Freight System Bill is the vehicle which will ensure that the transition to private provision of rail freight services and private management of the railway network is as smooth as possible and allows for maximum enhancement of service while safeguarding the interests of all parties. The primary functions of the legislation are to provide powers to dispose of the rail freight business; to provide for the freight railway land corridor and associated railway infrastructure to be separated from the government railway system, and to put in place the Rail Corridor Minister, who will be responsible for managing those state assets, including leasing them for a period of up to 50 years; and to apply the State's access regime to a private operator. It should be noted that the Government proposes to sell Westrail's freight business as a trade sale. Independent expert advice to the Government is that a trade sale is likely to be the only approach that will attract the top railway operators we want, and it will also provide the best sale price.

The legislation does not seek to amend the Government Railways Act 1904, except to the minimum extent required to recognise the operation of this legislation. The Government Railways Act will continue to be the legislative base for the operation of the Western Australian Government Railways Commission and the remaining government railways, including the provision of urban and country passenger rail services. The legislation clarifies that the Western Australian Government Railways Commission has power to operate these services on the network, post-sale.

I now refer to the provisions of the Bill. Part 1 deals with some preliminary issues and defines necessary terms. It also summarises the relationship with and effect on other Acts, notably the Government Railways Act 1904. Part 1 makes it clear that the Bill binds the Crown.

Part 2 deals with the sale process. It provides legislative power for the minister to sell Westrail's freight business and for the commission to do the things necessary to facilitate the sale. Part 2 provides limitations on the disposal of land, including a prohibition on the disposal of corridor land in any way greater than a leasehold interest. It ensures that the disposal of land does not conflict with the Land Administration Act 1997. It also provides for any sale agreement to contain provisions about continuity of service. There is allowance for agreements between the residual WA Government Railways Commission and third parties, including the purchaser of the freight business, for access to facilities owned by each other and for sharing of facilities and services, such as common information technology and communications systems. Part 2 also permits the Auditor General to provide information to facilitate the sale process, and it provides for the giving of guarantees and indemnities for matters arising from the sale. There is also a power to make regulations to give effect to the transfer.

[COUNCIL]

Division 2 of part 2 deals with the assignment of property, the making of orders to effect the transfer of assets and liabilities to the new owner of the business, the registration of those documents and the disposition of the sale proceeds. The transfer orders will be available for public inspection. In addition, this division provides for rectification of errors in transfer orders. A transfer order can apply to any asset, right, contract, liability or proceeding associated with the rail freight business, except the things over which this State has no power, such as some obligations governed by foreign law.

Division 2 of part 2 also provides that things done in the sale, such as the transferring of contracts to the purchaser and the disclosure of information to prospective buyers, do not amount to a civil wrong or a breach of contract.

In addition, division 2 of part 2 protects pre-existing contracts and gives contractual status post-sale to internal agreements between different parts of the commission's business. These internal agreements may relate to, for example, access arrangements for Westrail's country passenger services to use freight lines, access arrangements for freight trains to use part of the passenger network, or service agreements between Westrail freight and Westrail passenger units for the use of shared facilities.

Part 3 establishes the Rail Corridor Minister as a body corporate and state agency, with the power to use the resources of appropriate departments and state agencies. The Government will recommend to the Governor that the Rail Corridor Minister should be the Minister for Transport, to ensure consistency in the application of rail and general transport policy.

Division 2 of part 3 provides for the minister responsible for the administration of this legislation to designate government railway land as corridor land or land other than corridor land. This does not affect the ownership of the land. The land remains owned by the Crown. The effect of the legislation is that powers over the land are no longer exercisable by the Western Australian Government Railways Commission or the minister under the Government Railways Act, but are exercised on behalf of the Crown by the Rail Corridor Minister in accordance with the legislation.

Corridor land and land other than corridor land to be disposed of under this Bill may be identified by reference to maps or diagrams contained within or referred to in the proposal, by reference to all government railway land under and adjacent to a railway between two places, or by such other means as the commission and the minister may agree is sufficient for identification. Additional land may be acquired as corridor land if necessary, either by the Rail Corridor Minister through agreement or under part 9 of the Land Administration Act 1997.

The Rail Corridor Minister has powers under division 2 of part 3 to cancel the designation of corridor land if it is no longer required as corridor land. This may occur, for example, on termination of part of a lease or similar agreement. If the designation as corridor land is cancelled, there is provision for the Rail Corridor Minister to order that it become part of a government railway for the purposes of the Government Railways Act 1904. This allows the State to decide to operate that part of the railway if required in the public interest.

Orders designating land as corridor land or cancelling such designation will be published in the *Government Gazette* and full details of the land will be publicly available. Land designated as corridor land, or the cancellation of such designation, will be identified by notation on the title or plan where appropriate.

Division 3 of part 3 provides for the functions of the Rail Corridor Minister in dealing with corridor land and things on it, including negotiating and giving effect to the disposal of an interest in that land that is no greater than leasehold interest. Such an interest in corridor land may be for a term of no more than 50 years, including any renewal options.

Part 3 will allow the Rail Corridor Minister to grant a lease of land - or any lesser interest - to give the purchaser the right for a period of up to 50 years to be the sole user of the land and railway infrastructure for railway purposes, subject to the State's access regime, existing access agreements - for example, to National Rail - and the access arrangements allowing the Western Australian Government Railways Commission to operate country passenger services.

In practice, the Government intends to offer a 20-year agreement, with two options to renew - for 15 and 14 years respectively - to make a total lease period of 49 years. The minister may also grant rights of use to third parties or to the party to an agreement under part 2 for non-railway purposes on corridor land, but these uses must be compatible with the safe and efficient operation of the railway. Part 3, division 3 requires the Rail Corridor Minister to perform any functions under this Act that may be necessary to fulfil the State's obligations with respect to an agreement under part 2 of the Act, and requires all relevant state agencies to give effect to the disposal by conveying their interest in any of the things disposed of under this part.

Division 4 of part 3 provides for the making of regulations and other matters to do with corridor land. This division provides for corridor land to be exempt from the Dividing Fences Act 1961, from local rates and other state taxes which may be publicly specified. This places the rail corridor on the same footing as a road corridor to facilitate intermodal competition. The rail corridor will not be exempt from service provision charges levied by utilities such as those for water, gas and power. Non-corridor land will not be granted any exemptions from rates, taxes or charges.

Division 4 of part 3 prohibits any construction on corridor land without the Rail Corridor Minister's written permission, and restricts any use of corridor land that is inconsistent with the rights conferred by the Rail Corridor Minister. This division permits the making of regulations for the protection of the corridor land and the railway, for restricting entry, or for temporary closures of thoroughfares or structures for maintenance purposes or similar. The intention is to set out in regulations similar powers in respect of the railway that the Western Australian Government Railways Commission has under the Government Railways Act. Some or all of these powers may be delegated to the private operator by the Rail Corridor Minister.

Part 3, division 4 also allows for the power of entry by authorised persons onto private land adjoining the corridor.

Circumstances where this could become necessary may include prevention or repair of flood damage, removal of potential obstructions to the railway, or in the case of accidents or spillages from the railway. This division also allows the Rail Corridor Minister to exercise, over railways on corridor land, the powers given to the Minister for Government Railways in the Public Works Act 1902.

Part 4 allows for penalties to be imposed for breach of agreement conditions and for regulations to be made as required to give effect to the Act. At common law a provision of a contract imposing a monetary penalty is often not legally valid unless the amount is linked to the damage suffered by a party to the contract. The agreement will oblige the purchaser to do things such as maintain the track. If such an obligation is breached, it may not give rise to damages suffered by the State. Accordingly, the legislation will allow penalty provisions to be included in the agreement.

Part 5 deals with consequential amendments to other Acts. The key Act to be amended is the Government Railways (Access) Act 1998, and the amendments are designed to ensure the third party access regime designed for Westrail will apply effectively to a private rail track operator. They incorporate provisions for penalties to apply for non-compliance.

The provisions also allow a person who obtains access to physically connect new railway lines to the network. This would allow, for example, a new mine owner to build track up to the existing network and then connect that track to the network and access the network.

The amendments also clarify that an access agreement entered into by the private operator under the access regime is binding on the State, even if the agreement with the private operator is terminated. The private operator cannot grant access, however, for a term more than the balance of the term of its agreement with the State.

Part 5, division 3 amends the Hire Purchase Act. Some of the locomotives and rolling stock are subject to complicated cross-border lease arrangements. Under a power in the Hire Purchase Act to exempt such arrangements from the Act if goods are used for government purposes, an exemption was obtained. This exemption can continue under this legislation after the goods are transferred to the private operator.

Part 5, division 4 amends the Land Administration Act 1997 to allow for delegation of powers under parts 9 and 10. Part 5, division 5 amends the Land Tax Assessment Act 1976 to exempt corridor land from state land taxes. This is necessary to maintain competitive neutrality between road and rail corridors. Part 5 also provides an exemption for corridor land from section 20 of the Town Planning and Development Act 1928, which constrains subdivision and disposal of land.

In conclusion, I reiterate that the sale of Westrail's freight business is essential to ensure a healthy, vibrant and competitive rail freight system in Western Australia, which will contribute positively to the economic growth and global competitiveness of our industries by continuing downward pressure on freight rates and improving service quality and network capacity. It will have continuing benefits in attracting freight to rail that would otherwise be transported by large road vehicles, thus easing congestion and pollution and improving safety. It is, in summary, an essential element in continuing reform of the land transport industry for the benefit of all Western Australians. I commend the Bill to the House.

Debate adjourned, on motion by Hon Bob Thomas.

BILLS - RETURNED

1. Year 2000 Information Disclosure Bill 1999.
2. Federal Courts (State Jurisdiction) Bill 1999.

Bills returned from the Assembly without amendment.

ADJOURNMENT OF THE HOUSE

Special

On motion by Hon N.F. Moore (Leader of the House), resolved -

That the House at its rising adjourn until a date and time to be fixed by the President.

Ordinary

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [5.31 pm]: I move -

That the House do now adjourn.

Pollution Legislation - Adjournment Debate

HON J.A. SCOTT (South Metropolitan) [5.31 pm]: I apologise for keeping members from their eagerly awaited departure from this place tonight, but I wish to bring two important matters to the attention of the House. The first is the effect of the proposed new pollution legislation, as reported in *The West Australian* on Tuesday, 29 June. The article states -

Polluters will not have to clean up contaminated sites if their actions were lawful at the time, under new draft environmental laws.

And the State Government will accept responsibility only as a last resort - if the polluter cannot be found or cannot pay for the clean-up.

Environmental legal centre the Environmental Defenders' Office has questioned the legislation's fairness.

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Office lawyer Michael Bennett said: "In my view, such polluters should be liable if they should have foreseen the harm that was caused by their actions.

"They should not be protected from liability under the legislation simply because their actions were unregulated at the time."

That ties in very neatly with another situation that was reported in *The West Australian* at about the same time in an article headed "Contamination forces family to leave home". That article tells the story about Bellevue couple Ms Jane Bremmer and Mr Lee Bell, who intend to move out of their house, even though they have yet to pay for it, because of the pollution that has emanated from the Omex site. Members will be aware of this site, because the State Government is now paying about \$7m to clean it up, even though it is well known that a family company owned by the Crackenbushes was responsible for this pollution because it dumped oil from the business that it was operating in that area, yet that family has not been pursued over many years. Ms Bremmer and Mr Bell have been pushed into leaving their property because their child Zac has been having regular tests for lead levels, which at times have been double the recommended level. Many people have been repatriated from that area, but this couple did not qualify for any assistance from the Government. This sort of pollution should never be a cost to the State or those people when every indicator of responsibility points to the Crackenbush family companies, which are operating businesses in this city right now, albeit under a changed name. Clearly they have not disappeared.

This couple and many other people have also been in contact with the Minister for the Environment and the Department of Environmental Protection about the brickworks that is proposed to be built at Hazelmere. I understand that the Swan Shire Council has rejected an application for planning approval on legal advice because it is a noxious industry, even though the DEP seems to want to bend over backwards to allow this industry as not being a noxious industry. The letters from Bryan Jenkins from the DEP indicate that nothing is wrong with this area, but it is already overloaded with brickworks, and pollution problems are already being created by those brickworks. The fluoride levels in this area were measured for the proponent of this project, but when I looked at the chart in the document that was put out for the public environmental review, there was a big gap for the fluoride levels during this period. I inquired whether those measurements had been taken, and when they were eventually given to me I found that they had been taken out because they were sky high during that time and might have given people the wrong idea. It is clear from medical evidence that people had previously been moved out of that area because they had been made ill by the existing brickworks, yet the DEP, which is supposed to be working on behalf of the people of Western Australia, is trying to kid people that this industry will not cause even more illness in that area than occurs already from those stacks at the brickworks, because this will be a new super-duper brickworks. However, it will add to the pollution load of the area, and there has already been deception in the assessments that have been made.

East Fremantle Town Council - Adjournment Debate

Hon J.A. SCOTT: I am also very concerned about the bogus executive director's inquiry that will be held into East Fremantle Town Council. According to Mr Tweedie from the Department of Local Government, this inquiry has been instigated by numerous complaints that have been made about the East Fremantle council, plus a petition against the town planner at East Fremantle. It is strange that even though the petition was addressed to the council, it went to local government before it ever went to the council. The people who eventually took it to the council, who were seeking election to the council at the time, said they did not know who the proponents of the petition were and seemed to want to move away from it a bit, even though they were pushing this petition.

The other matter about this inquiry is that the first the East Fremantle council heard about it was when it was leaked to the *Sunday Times*. It first appeared in the *Sunday Times* in the middle of the council elections. Was that not a coincidence by the Minister for Local Government! When the council asked for some written evidence of the complaints, because it wanted to know what the complaints were about and it had not received a single complaint, nor, on investigation, had any of the offices of members in that area - mine or anyone else's - it seemed there were no written complaints, even though there were supposedly myriad complaints.

The article in the *Sunday Times* indicated that Harold Clough had some concerns because of the Left Bank building in Fremantle of which he and his family are co-owners. There has been an ongoing dispute, and it seems that this inquiry is really about Harold Clough, who wants to get an \$80 000 hand-out from the council because he has been unsuccessful in getting a variation in his lease agreement. That is not the fault of the current East Fremantle council. It is the fault equally of Mr Clough, the previous council under the previous mayor and the Ministry for Planning, which made the mistake of not ensuring that the initial lease and the longer sublease that Mr Clough wanted to be matched to that lease by a variation was signed by the previous Minister for Planning, Richard Lewis, who thought the matter should be settled commercially. The council did not understand what that meant, until it got a bid from Mr Clough for an \$80 000 hand-out.

It seems that this is simply a political witch-hunt that has been instigated by the office of local government. It is an outrageous use of power because another inquiry took place into that council a couple of years ago and it found nothing on that occasion either. This is the using of a political office in a totally unfair and unreasonable way.

Question put and passed.

House adjourned at 5.40 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

VELALUKA PARK, SPEARWOOD, CONTAMINATION

905. Hon J.A. SCOTT to the Minister for Finance representing the Minister for the Environment:
- (1) Is the minister aware of the significant community concern over the contamination at Velaluka Park in Spearwood?
 - (2) What are the contaminants, what quantities have been identified and who was responsible for contaminating the land at Velaluka Park?
 - (3) Will the Minister for the Environment uphold Cockburn Council's view that it is unreasonable to expect the City of Cockburn to fund rehabilitation of the contaminated site?
 - (4) If not, why not?
 - (5) Will the Minister support Cockburn Council's assessment that rehabilitation Option 4 is a superior alternative to the Option 7 offered by the Department of Environmental Protection?
 - (6) If not, why not?
 - (7) How long does the Government expect the local community to be exposed to the contaminants at Velaluka Park?
 - (8) As the site has been identified as contaminated for the last 12 months will the Government immediately allocate funds for the decontamination of Velaluka Park?

Hon MAX EVANS replied:

- (1) Yes.
- (2) There is an estimated volume of 3 750 cubic metres of coal tar waste which includes paths on the site. Until the early 1970s, Fremantle Gas and Coke operated a gas manufacturing site in Spearwood after which the area was remediated and developed for residential use.
- (3)-(8) The Minister for the Environment has announced the allocation of \$1 12 000 for the clean-up of the Vela-Luka site. The City of Cockburn have advised they accept Option 7 and are working with the Department of Environmental Protection in restoring the park for community use. The Department of Environmental Protection have advised the Minister that the clean up is expected to be completed by the end of winter 1999.

SCHOOLS, LANGUAGES OTHER THAN ENGLISH

1501. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:
- (1) Which languages, other than English, are taught and are part of the normal curriculum of -
 - (a) Primary school, years one to seven;
 - (b) Lower secondary school, years eight to ten;
 - (c) Upper secondary school, years eleven to twelve; and
 - (d) Tertiary Entrance Examination level?
 - (2) Which of these languages, other than English, are classified as community languages?
 - (3) Which languages, other than English, are taught by Ethnic Schools which receive State Government funding?

Hon N.F. MOORE replied:

- (1) The languages, other than English, which are taught as part of the normal curriculum are:

(a) Years 1 to 2	The study of a Language Other Than English (LOTE) is not compulsory in Years 1 and 2. A number of primary schools, however, opt to offer a LOTE to students in these year levels. In 1998 Aboriginal Languages, French, German, Indonesian, Italian, Japanese, Khmer and Spanish were offered.
Years 3 to 7	Aboriginal Languages, Modern Standard Chinese, French, German, Indonesian, Italian, Japanese, Korean, Modern Greek, Spanish, Thai and Vietnamese are the LOTE priority languages. The LOTE taught are Aboriginal Languages, Modern Standard Chinese, French, German, Indonesian, Italian, Japanese, Modern Greek, Spanish, Vietnamese and Khmer (one school).
- (b) Lower secondary school, Years 8 to 10
Aboriginal Languages, Modern Standard Chinese, French, German, Indonesian, Italian, Japanese, Modern Greek, Spanish and Vietnamese. Khmer is also taught in one secondary school.

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As yet no schools have opted to teach Korean or Thai.

- (c) Upper secondary school, Years 11 to 12
Modern Standard Chinese, French, German, Indonesian, Italian, Japanese, Spanish and Vietnamese.
 - (d) Tertiary Entrance Examination Level
Modern Standard Chinese, French, German, Indonesian, Italian and Japanese. Modern Greek at TEE level is being provided through an ethnic school with certification by a government secondary school.
- (2) Aboriginal Languages, Modern Standard Chinese, German, Italian, Modern Greek, Spanish and Vietnamese are the LOTE offered in the after hours community languages programs run by ethnic associations.
 - (3) Just over \$1 million of joint State/Commonwealth funding is spent on supporting community languages taught by ethnic schools. The current list of languages supported by the State Government through the Community Languages Program are: Amharic/Tigriana, Arabic, Auslan, Chinese, Croatian, Dari, German, Greek, Hebrew, Indonesian, Italian, Kija, Korean, Malay, Polish, Portuguese, Punjabi, Russian, Serbian, Sinhala, Spanish, Tamil, Turkish, Ukrainian, Urdu and Vietnamese.

Applications for funding for 1999 are still being received and therefore the 1999 list of languages is not yet final.

HOMESWEST, MIGRANT SERVICE OFFICERS

1504. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Health:

- (1) How many migrant service officers have been appointed by Homeswest to be responsible for migrant service issues?
- (2) What are the qualifications and background of each of these officers which qualifies them for this position?
- (3) When were these appointments made?
- (4) Where are these Migrant Service Officers situated or placed?

Hon MAX EVANS replied:

- (1) The Ministry of Housing has one officer employed to assist with policy development and provision of information between government agencies in relation to migrant issues. In addition, Ministry of Housing regional customer service staff receive training to assist them to deal with people from all cultures including migrants. To assist in dealing with clients, staff also utilise the services of the Translating and Interpreting Service where English is not the client's first language. The Ministry also has regular weekly interpreters providing a translating service in its offices in the metropolitan area. I should also point out that the Ministry is represented, at executive level, on the State Settlement Planning Committee.
- (2) The officers concerned receive appropriate training to assist them in their duties. Customer Service staff, as part of the employment process, must demonstrate that they have the ability to deal effectively with the public on sensitive issues and converse with people at all levels. In addition, they are required to demonstrate the ability to communicate with people of different cultures and must also have knowledge of and commitment to the principles of equal opportunity.
- (3) The Customer Service positions in regional and branch offices were created during 1988/89 and the duties of the Migrant Service Officer commenced in 1992/93.
- (4) The officer who advises on policy issues is located in the Ministry of Housing Perth office and Customer Service staff are located in all offices throughout the State.

OFFICE OF SENIORS, STRATEGIES FOR ETHNIC AGED

1508. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Seniors:

- (1) What strategies has the Office of Seniors developed to meet the needs of Ethnic Aged in the Year Of the Older Person?
- (2) Which cultural and linguistic diverse background groups or organisations were consulted to develop the strategies?
- (3) What initiatives have been developed by the Office of Seniors to meet the needs of older cultural and linguistic diverse background persons?

Hon M.J. CRIDDLE replied:

- (1) During the International Year of Older Persons (IYOP) the Office of Seniors Interests is building on existing initiatives which see representatives of the ethnic communities sitting on key committees and special provision made in publications to cater for the needs of people from diverse backgrounds. Examples of this are the appointment of indigenous and ethnic representatives as members of the IYOP Steering Committee, indigenous and ethnic representation on the Seniors Ministerial Advisory Committee and a special section in the Seniors Card Discount Directory which sets out in thirteen languages how translation services can be accessed. Ethnic and indigenous representatives have been included in the group of Senior Ambassadors appointed to draw attention to

IYOP. This year a State Plan on Ageing, entitled *Time On Our Side*, was published. The Plan sets out a strategy for meeting the challenges and opportunities presented by an ageing population and within it deals specifically with issues related to people from culturally and linguistically diverse backgrounds.

- (2) In developing plans for IYOP, a wide range of ethnic organisations has been consulted, including the Ethnic Communities Council, the Australian Asian Association, the Chung Wah Association and Polish, African and Filipino community groups. The Commonwealth Department of Immigration and Multicultural Affairs has also been involved in discussions on specific topics.
- (3) Monthly orientation days in which invited representatives of various communities spend half a day at the agency learning about its role and services have been introduced. The intention is that delegates can then act as conduits of information to their communities. Grants programs have also been introduced during IYOP. In the first round three ethnic and indigenous organisations were the recipients of grants and ethnic applicants are well represented among the second round recipients. As I have indicated in a response to an earlier question, information has been provided to 6EBA on IYOP for its use on radio. The Office of Seniors Interests has also updated its photograph library so that images of people from culturally and linguistically diverse backgrounds can be used in all its publications.

WESTERN POWER, GREEN POWER SCHEME

1539. Hon J.A. SCOTT to the Leader of the House representing the Minister for Energy:

- (1) Is the Minister for Energy aware that more than 30 000 customers in NSW have joined the SEDA accredited Green Power schemes offered by NSW electricity suppliers?
- (2) Why hasn't Western Power Corporation offered a similar scheme to its customers?
- (3) Is Western Power's lack of interest in renewable energy a consequence of the Government's commitment to the new coal-fired power station at Collie and its promotion of the uranium industry?
- (4) What major initiatives has the Government planned to meet its obligations to limit greenhouse gas emissions to an 8 per cent increase by 2010?
- (5) Does the Government consider that Green Power could assist the State to meet this target?
- (6) If yes, what does it plan to do to persuade Western Power to change its attitude?

Hon N.F. MOORE replied:

- (1) Yes.
- (2) A similar scheme is currently being developed by Western Power for its customers.
- (3) Western Power is pursuing a number of renewable energy initiatives to complement the existing regional wind energy systems at Esperance and Denham and the Kalbarri photovoltaic system. A further three wind turbines are to be installed at Denham and Western Power is examining the feasibility of developing a further wind farm at Albany. In addition a study is being conducted on a possible biomass generation facility in the wheatbelt.
- (4) The commitment to limit greenhouse gas emissions to an 8 per cent increase by 2010 is a Commonwealth commitment. A National Greenhouse Strategy has been endorsed by all State Governments, including that of Western Australia and was published in 1998. The implementation plan for Western Australia is being developed by the Western Australian Greenhouse Council and its Technical Panels.
- (5) Yes.
- (6) Not applicable – see question (2).

NUCLEAR WASTE DUMP, PANGEA RESOURCES AUSTRALIA PTY LTD

1560. Hon CHRISTINE SHARP to the Minister for Transport representing the Minister for Family and Children's Services:

With regard to the proposed international nuclear waste dump proposed for Australia by Pangea Resources Australia Pty Ltd -

- (1) Has the Minister for Family and Children's Services, or any of her staff, had any meetings, formal or informal with Pangea or their representatives?
- (2) If yes, can the Minister advise what was the purpose of that/those meetings?
- (3) Was any promotional material left by Pangea or other representatives?
- (4) Will the Minister table any such promotional material presented?
- (5) At whose request was/were that/those meetings convened?
- (6) Who was in attendance at that/those meetings?

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(7) Does the Government support the proposal of establishing an international nuclear waste facility in Australia?

Hon M.J. CRIDDLE replied:

(1) No.

(2)-(6) Not Applicable.

(7) Please refer to Legislative Council question on notice 1421 of 24 March 1999.

WESTERN POWER, GAS SALES IN SOUTH WEST INTERCONNECTED SYSTEM

1570. Hon MARK NEVILL to the Leader of the House representing the Minister for Energy:

(1) Is Western Power prevented from selling gas for purposes other than electricity generation in the South West Interconnected System?

(2) If yes, was this a Ministerial direction?

(3) When was the decision communicated to Western Power?

(4) If not, under what authority was this decision issued?

(5) Will the Minister for Energy table the relevant correspondence in the House?

Hon N.F. MOORE replied:

(1) Western Power, under the Electricity Act, sells gas for electricity generation purposes and sells some gas for process purposes when required by customers.

(2) No Ministerial directions have been issued to Western Power. The functions of Western Power are covered by Clause 28 of the Energy Corporations (Powers) Act.

(3)-(5) Not applicable.

WESTERN POWER, CORPORATE CUSTOMERS IN KUNUNURRA

1583. Hon TOM STEPHENS to the Leader of the House representing the Minister for Energy:

(1) When will large corporate customers of Western Power in Kununurra be able to enter into direct supply contracts with Ord Hydro?

(2) What has caused the delay in making this opportunity, promised by the Energy Minister, available to businesses in Kununurra?

(3) Is the Minister aware that for one such Kununurra business the current average daily cost of electricity under current Western Power tariffs has risen to \$205.46, totalling some \$6 780.25 for the March/April billing period?

(4) Will the Minister now move urgently to address this issue?

Hon N.F. MOORE replied:

(1) Since 1 January 1999, large electricity customers in regional areas (ie. those that consume above 300 000 kWh per annum) have been able to source their power requirements from their supplier of choice. In Kununurra the supplier could be either Western Power, Ord Hydro or any other private generator willing to establish in the region and interconnect into the local Western Power distribution network.

(2) There has been a delay in Ord Hydro being able to make offers to large contestable customers in the Kununurra region while pre-existing contractual arrangements are being resolved between Ord Hydro and Western Power.

(3) Without knowing the specific electricity consumption pattern of the business concerned, it is difficult to comment.

(4) See previous answers.

GAS SUPPLIERS, EXEMPTIONS

1591. Hon J.A. SCOTT to the Leader of the House representing the Minister for Energy:

(1) Which gas suppliers are now exempted under sub-section 13 (2) of the *Gas Standards Act 1972*, and for each of these -

(a) what are the details of the gazettal entries; and

(b) why are they exempted?

(2) What are the Ministerial requirements for exemption under sub-section 13 (2) of the Act?

(3) Is an Inspection Plan and Policy a requirement for exemption under sub-section 13 (2) of the Act?

(4) How many gas suppliers have now produced an Inspection Plan and Policy which relies on forms designed and issued by the gas supplier?

- (5) Are these Inspection Plan and Policy documents public?
- (6) If not, why not?
- (7) If so, where can copies be obtained?
- (8) Has the Director approved any gas supplier as a competent authority for the design and issuing of forms under the Regulations?
- (9) If so, who?
- (10) Where a sub-section 13 (2) exemption exists, who would bear the economic burden if there was a major gas explosion (ie. the gas fitter)?
- (11) How can the proliferation of different forms, procedures, and requirements be consistent with regulatory certainty of gas safety?

Hon N.F. MOORE replied:

- (1) AlintaGas, Kleenheat Gas, Boral Energy and BOC Gases Pty Ltd.
 - (a) Not applicable.
 - (b) The Minister for Energy has approved an Inspection Plan and Policy Statement.
- (2) That the gas supplier has in place an approved Inspection Plan and Policy Statement.
- (3) Yes.
- (4) None.
- (5) No.
- (6) They are required to achieve the necessary outcomes consistent with each gas supplier's particular system of operation and therefore are unique to each gas supplier.
- (7) Not applicable.
- (8) No.
- (9)-(10) Not applicable.
- (11) There are no different forms as they are called up in the Regulations. The requirements on gas fitting are uniform but the inspection system can be tailored to suit a gas supplier's procedures providing it achieves the same outcome of gas safety.

MINING, EXEMPTIONS FROM EXPENDITURE REQUIREMENTS

1592. Hon GIZ WATSON to the Minister for Mines:

In respect of the granting of exemptions from expenditure requirements under the *Mines Act* by both the DME and the Minister will the Minister answer the following -

- (1) How many exemptions have been granted since 1991 to the following groups of companies -
 - (a) Delta Gold NL, Ida Gold Pty Ltd, Granny Smith Mines Ltd, Mumbil Mines NL, Kanowna Mines Ltd and subsidiary companies;
 - (b) Newcrest Mining NL, Newcrest Operations Ltd, Australimin Holdings Ltd, Newcrest International Pty Ltd, Cadia Holdings Pty Ltd and subsidiary companies;
 - (c) Acacia Resources Ltd, Acacia Metals Pty Ltd, Acacia Resources (Union Reefs) Pty Ltd, Acacia Resources (Sunrise Dam Gold) Pty Ltd, Acacia Magnesite Pty Ltd, Acacia Oil Shale Pty Ltd, Acacia Resources (Brocks Creek) Pty Ltd, Camur Pty Ltd and subsidiary companies;
 - (d) North Ltd, North Gold WA Ltd, Peko Exploration Ltd, Peko-Wallsend Ltd, Norgold Ltd, North Exploration, North Broken Hill Investments Pty Ltd, NBH Ltd and subsidiary companies; and
 - (e) Perilya Mines NL, Evoc Mining NL, Freehold Mining NL, Kolmar Resources NL, Nobel Mining Corp Pty Ltd, Earnsclough Mines Ltd and subsidiary companies?
- (2) Will the Minister identify all the tenement numbers?
- (3) What is the total area of each tenement?
- (4) Will the Minister provide the specific years and amounts of expenditure claimed as an exemption in each year?

Hon N.F. MOORE replied:

- (1)-(4) Providing information to the level of detail sought would require the diversion of significant staff resources from their duties, which I am not prepared to do. Summary exemption information for all in-force titles for calendar year

[COUNCIL]

1998 is available and is attached for the information of the Member. [See paper No 1201.]

WORKSAFE WESTERN AUSTRALIA, WORKPLACE SAFETY STANDARDS IN INDONESIA

1595. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Labour Relations:

With regard to the WorkSafe Western Australia 1997 international project for Workplace Safety Standards in Indonesia, can the Minister for Labour Relations state -

- (a) the total cost of the project;
- (b) the cost of the project in -
 - (i) 1996/97;
 - (ii) 1997/98;
 - (iii) 1998/99; and
 - (iv) 1999/2000;
- (c) the commencement and cease dates of the project; and
- (d) the names of any private contractors which assisted WorkSafe with the project, and the remuneration received by them?

Hon PETER FOSS replied:

- (a) \$24.60.
- (b) (i) See (a) above.
(ii)-(iv) Not applicable.
- (c) 21 to 22 February 1997.
- (d) Companies involved: TAFE International, Edith Cowan University, Curtin University and RCS International, nil remuneration.

WORKSAFE WESTERN AUSTRALIA, MALAYSIAN CONSTRUCTION INDUSTRY INSPECTORS TRAINING PROJECT

1596. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Labour Relations:

With regard to the WorkSafe Western Australia 1997 international project for Training for Malaysian construction industry inspectors, can the Minister for Labour Relations state -

- (a) the total cost of the project;
- (b) the cost of the project in -
 - (i) 1996/97;
 - (ii) 1997/98;
 - (iii) 1998/99; and
 - (iv) 1999/2000;
- (c) the commencement and cease dates of the project; and
- (d) the names of any private contractors which assisted WorkSafe with the project, and the remuneration received by them?

Hon PETER FOSS replied:

- (a) Costs were met by the principal contractor for the program, Edith Cowan University.
- (b) (i) See (a) above
(ii)-(iv) Not applicable.
- (c) 2 to 4 March 1997.
- (d) The principal contractor was Edith Cowan University, nil remuneration.

WORKSAFE WESTERN AUSTRALIA, MALAYSIAN TRAINING PROGRAM

1597. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Labour Relations:

With regard to the WorkSafe Western Australia 1997 international project for the 1997 Training Program under the Memorandum of Understanding (MOU) with NIOSH Malaysia, can the Minister for Labour Relations state -

- (a) the total cost of the project;
- (b) the cost of the project in -
 - (i) 1996/97;
 - (ii) 1997/98;
 - (iii) 1998/99; and
 - (iv) 1999/2000;

- (c) the commencement and cease dates of the project; and
- (d) the names of any private contractors which assisted WorkSafe with the project, and the remuneration received by them?

Hon PETER FOSS replied:

- (a) Salary costs were on a cost recovery basis and all travelling costs, accommodation and associated expenses were met by NIOSH (National Institute of Occupational Safety and Health, Malaysia).
- (b) (i) See (a) above.
(ii-iv) Not applicable.
- (c) 30 March 1997 to 30 April 1997.
- (d) Not applicable.

WORKSAFE WESTERN AUSTRALIA, MISSION TO CHINA AND VIETNAM

1598. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Labour Relations:

With regard to the WorkSafe Western Australia 1997 international project for a Mission to China and Vietnam, can the Minister for Labour Relations state -

- (a) the total cost of the project;
- (b) the cost of the project in -
 - (i) 1996/97;
 - (ii) 1997/98;
 - (iii) 1998/99; and
 - (iv) 1999/2000;
- (c) the commencement and cease dates of the project; and
- (d) the names of any private contractors which assisted WorkSafe with the project, and the remuneration received by them?

Hon PETER FOSS replied:

- (a) \$12 331.26 (includes airfares, accommodation and incidentals).
- (b) (i) As (a) above
(ii-iv) Not applicable.
- (c) 19 to 28 April 1997.
- (d) Not applicable.

WORKSAFE WESTERN AUSTRALIA, DELEGATION FROM ZEJIANG PROVINCE, CHINA

1599. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Labour Relations:

With regard to the WorkSafe Western Australia 1997 international project for a Delegation from Zeijiang Province, China, can the Minister for Labour Relations state -

- (a) the total cost of the project;
- (b) the cost of the project in -
 - (i) 1996/97;
 - (ii) 1997/98;
 - (iii) 1998/99; and
 - (iv) 1999/2000;
- (c) the commencement and cease dates of the project; and
- (d) the names of any private contractors which assisted WorkSafe with the project, and the remuneration received by them?

Hon PETER FOSS replied:

- (a) \$915.00
- (b) (i) See (a) above.
(ii-iv) Not applicable.
- (c) 30 April 1997.
- (d) Companies involved: Master Builders Association, Arbortech Pty Ltd., Fallright International, nil remuneration.

[COUNCIL]

WESTERN POWER, SOUTH WEST INTERCONNECTED GRID ACCESS

1632. Hon J.A. SCOTT to the Leader of the House representing the Minister for Energy:

- (1) How many sites were contestable under Western Power's South West interconnected grid under the access regime effective from July 1, 1998 (5MW or 43 800 MWh/a) ?
- (2) What are the names and locations of those sites?

Hon N.F. MOORE replied:

- (1) 13.
- (2) Details of individual companies is considered to be confidential.

WESTERN POWER, INTEGRATED POWER SERVICES' ANNUAL REPORT

1641. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Energy:

I refer to the Minister for Energy's briefing note of October 10, 1997 to the Managing Director of Western Power Corporation regarding Western Power's joint venture company Integrated Power Services (IPS) and ask -

- (1) Did the Minister for Energy ask for a copy of a confidential IPS Annual Report?
- (2) Did the Minister also request the inclusion of IPS in the Strategic Development Plan for the reason that "using public funds requires accountability"?
- (3) Given this reason, and in the interests of accountability generally, will the Minister table the Annual Report and Strategic Development Plan?
- (4) If not, why not?

Hon N.F. MOORE replied:

- (1)-(2) Yes.
- (3) No.
- (4) This is commercial information.

KIMBERLEY, CHEMICALS SPRAYING

1645. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Primary Industry:

Following further weekend media coverage of problems relating to the spraying of chemicals contained in unmarked 44 gallon drums of chemical concentrate in the Kimberley region in the late 1970s I ask -

- (1) What chemical concentrate was contained in the drums referred to?
- (2) If unknown, what inquiries have been made or will the Minister for Primary Industry make to ascertain what was contained in the drums?
- (3) What inquiries or studies have been carried out as to the health effects of working with the herbicides 2,4-D and 2,4,5-T and the unknown chemical?
- (4) What steps will the Minister take to ensure proper compensation is paid to anyone adversely affected by being involved in the spraying of these chemicals?

Hon M.J. CRIDDLE replied:

- (1)-(2) An extensive search of archival documents has failed to produce any record of chemical concentrate in unmarked 44-gallon drums for use in weed control activities in the Kimberley region.
- (3) I understand that worldwide, there is a large volume of readily available literature dealing with studies into the possible health effects of 2,4-D and 2,4,5-T. Questions relating to the possible health effects of working with 2,4-D and 2,4,5-T were raised a number of times in this Parliament during the early 1980's. For example, on 18 August 1981, the Legislative Council was advised that there was no evidence that skin complaints reported by people employed by the Agriculture Protection Board were caused by 2,4,-D or 2,4,5-T.
- (4) I am not aware of any pending compensation claims or substantiated medical cases for adverse health effects on APB workers, from spraying of 2,4-D and 2,4,5-T in the Kimberley.

MT CHARLOTTE MINE, ENVIRONMENTAL REVIEW

1653. Hon GIZ WATSON to the Minister for Finance representing the Minister for the Environment:

I refer to the Environmental Review and (Noise) Regulation 17 Application titled - Mt Charlotte Reward and Northern Orebody Open Pits and Floor Pillars, of Kalgoorlie Consolidated Gold Mines for the Owners Homestake Gold of Australia Ltd and Normandy Mining Ltd and ask -

- (1) Did the consultant Kinhill Pty Ltd visit the site of the proposal prior to and during the preparation of the Environmental Review document?
- (2) If not, why not?
- (3) Can the Minister for the Environment guarantee the accuracy, truthfulness and completeness of the information contained in the document?
- (4) If not, why not?

Hon MAX EVANS replied:

- (1) Yes, the consultant Kinhill Pty Ltd visited the site during the preparation of the Environmental Review document.
- (2) Not applicable.
- (3)-(4) The Department of Environmental Protection and the Department of Minerals and Energy reviewed information provided by the KCGM during the assessment that they are satisfied with the reliability of the information provided for the purposes of assessment.

ALINTAGAS, CONVERSION OF GAS APPLIANCES IN ALBANY

1656. Hon BOB THOMAS to the Leader of the House representing the Minister for the Energy:

- (1) Which firm won the contract to undertake the survey of appliances for the AlintaGas conversion in Albany?
- (2) In which State is that company registered and what is its head office address?
- (3) Which firm won the contract to undertake the conversion of gas appliances as a part of the AlintaGas conversion in Albany?
- (4) In which State is that company registered and what is its head office address?

Hon N.F. MOORE replied:

- (1) United Energy Systems.
- (2) 1 Lyon Park Road
North Ryde NSW 2113
- (3) United Energy Systems.
- (4) 1 Lyon Park Road
North Ryde NSW 2113

WESTERN POWER, INTEGRATED POWER SERVICES CONTRACTS

1657. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Energy:

- (1) How many contracts have been awarded to Western Power's joint venture company Integrated Power Services (IPS) since its inception?
- (2) For each contract, can the Minister for Energy state -
 - (a) the project the contract was awarded for;
 - (b) the date the contract was awarded;
 - (c) the value of the contract;
 - (d) if the contract was tendered, the name of other tenderers;
 - (e) the date the contract was originally offered for tender;
 - (f) where and when the tender was advertised; and
 - (g) if the contract was not put to tender, why wasn't it?

Hon N.F. MOORE replied:

- (1)-(2) This is commercial information.

DERBY AGRICULTURE PROTECTION BOARD, CHEMICAL STORAGE IN WORK SHED

1666. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Primary Industry:

In reference to the Derby Agriculture Protection Board (APB) work shed located near the Derby airport turnoff -

- (1) Was this shed and location used during the 1980's for chemical storage and preparation associated with the infamous Kimberley noxious weed eradication program?
- (2) Were drums of used and unused chemicals buried at this location?
- (3) Has the environmental and occupational health and safety of this shed and location been assessed since the APB eradication program?
- (4) If not, why not?

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- (5) Is the Government confident that the shed and location is safe from noxious, harmful chemicals?
- (6) Have APB workers in Derby been recently using this site?
- (7) Have current APB workers in the Derby area been advised of the chemicals used, spilt and buried around this shed and adjacent land?
- (8) If not, why not?

Hon M.J. CRIDDLE replied:

- (1) There are two sheds on the APB depot site (Reserve 34953 - Fitzroy location 96). The original equipment storage shed is no longer used. A chemical storage shed was built in the mid 1980s and continues to be used for storing and preparing chemicals for weed control activities.
- (2) An extensive search of records has failed to produce any information regarding used or unused chemical drums being buried at this site. The records indicate that empty herbicide containers were generally holed and destroyed at local rubbish tips.
- (3)-(5) No environmental assessment has been done on the Derby site. However, due to the continuing community concern about this matter, the Chairman of the APB has now requested that an assessment of the depot site be conducted.
- (6) The Derby depot site continues to be used for chemical storage and preparation for weed control activities. All current APB funded field activities are conducted by Agriculture Western Australia staff.
- (7)-(8) Agriculture Western Australia field staff are informed about the safety requirements of chemicals use at the Depot site.

KIMBERLEY, CHEMICAL SPRAYING

1667. Hon J.A. SCOTT to the Minister for Transport representing the Minister for Primary Industry:

I refer the Minister for Primary Industry to the report in *The West Australian* Big Weekend of May 8, 1999 on dioxin exposure of workers -

- (1) Who was/were the Agricultural Protection Board officer(s) who authorised the purchase or acquisition of the approximately 10 000 litres of chemical waste from the Kwinana Chemical company between 1975 and 1980?
- (2) Can the Minister confirm that this chemical waste was used by weed spraying teams in the West Kimberly Division of the APB between 1975 and 1985?
- (3) If not, what happened to this chemical waste?
- (4) What protective equipment was provided to workers for use with these chemicals?
- (5) What actions will the Minister implement to provide compensation to the APB workers exposed to and suffering negative health impacts from exposure to these chemicals as a direct result of APB spraying policies and directives between 1975 and 1985?

Hon M.J. CRIDDLE replied:

- (1)-(5) The APB did not purchase or use chemical waste at any time. All chemicals, including herbicides, were acquired through the normal tender and supply process. There were several manufacturers/suppliers at the time including Kwinana Chemical Company - later acquired by Nufarm Ltd. The legislative requirements to be met by all manufacturers when formulating chemicals were contained in the Health (Pesticides) regulations 1956. These regulations included all labelling requirements. Chemicals, including 2,4,5-T and 2,4-D were used for weed control work according to approved labels of the time. 2,4,5-T was mixed with diesel fuel to control Parkinsonia and Mesquite whilst 2,4-D was mixed with water to control Noogoora burr. To carry out work with these chemicals, the information available indicates that protective equipment was provided for APB workers and included boots, overalls, hats, face masks, eye shields, ear muffs, respirators, gloves, and barrier cream. I am not aware of any pending compensation claims or substantiated medical cases for adverse health effects on APB workers, from spraying 2,4-D and 2,4,5-T in the Kimberley.

WASTE DISPOSAL, LOTS 521 AND 523 SOUTHWEST HIGHWAY, BYFORD

1672. Hon J.A. SCOTT to the Minister for Finance representing the Minister for the Environment:

Regarding the former ammunition dump and now Lots 521 and 523, Southwest Highway, Byford -

- (1) Were any waste materials burnt or destroyed on this site?
- (2) If yes, what were the wastes destroyed and what methods were used to destroy them?
- (3) Did any of these waste materials contain PCB's or other contaminants and will the Minister for the Environment list those other contaminants?

- (4) Have these lots previously been declared as unfit for human habitation?
- (5) If so, will the Minister give details?

Hon MAX EVANS replied:

- (1) Yes.
- (2) I am informed that munitions have been dumped and sometimes burnt on Lots 521 and 523 South Western Highway, which is known to be a former Royal Australian Navy ammunition dump. Explosives have also been tested on the site, and "flame floats" have been buried. Contaminants from other sources, including asbestos from buildings and contaminants from a sheep dipping trough, are also present.
- (3) A number of site investigations have been undertaken to establish the contaminants on the site. The contaminants include arsenic, asbestos, cadmium, chromium, copper, lead, mercury, nickel, organochlorine pesticides, phosphorus in groundwater and zinc. PCBs were not identified in any samples analysed.
- (4)-(5) A Town Planning Scheme Amendment to rezone the land from rural to allow residential development has recently been assessed by the Environmental Protection Authority (EPA) under section 48A of the Environmental Protection Act 1986. In line with the EPA's recommendations, conditions have been set on the Amendment to ensure that adequate work is undertaken to identify all potential soil and groundwater contamination on the site, and to identify and implement remediation actions, prior to any subdivision for residential purposes.

LOT 2 BIRD ROAD, OLDBURY, LANDFILL SITE

1674. Hon J.A. SCOTT to the Minister for Finance representing the Minister for the Environment:

- (1) Does Lot 2, Bird Road Oldbury (429) contain contaminated landfill?
- (2) Is this site an approved site for contaminated landfill?
- (3) If not, what action has the Department of Environmental Protection taken regarding this landfill?
- (4) On what date was approval given for the dumping of contaminated landfill and was this approval given before or after the dumping had occurred?
- (5) Is this site bunded to prevent contaminants escaping into nearby wetlands?
- (6) Are Lot 2 Bird Road Oldbury (429) and Lot 1 Jackson Rd Oldbury (431) listed as potential Perth Bushplan sites?

Hon MAX EVANS replied:

- (1) Lot 2 Bird Road, Oldbury has had contaminated materials deposited on it.
- (2) No.
- (3) The owner of Lot 2, Bird Road, Oldbury was requested by the Chief Executive Officer of the Department of Environmental Protection (DEP) to "show cause" why the DEP should not proceed with prosecution under *the Environmental Protection Act 1986*. A response submitted on behalf of the owner was provided to the DEP, outlining the circumstances in which waste was deposited on the property and a proposed remediation strategy. The proposal for remediation was accepted by the DEP on 31 October 1998, subject to certain additional requirements.
- (4) No such approval was issued by the DEP.
- (5) No. However, the proposed remediation strategy contains other control measures to prevent the escape of contaminants.
- (6) The vegetated creek line portions of both Lot 2 Bird Road, Oldbury and Lot 1 Jackson Road, Oldbury are identified in Perth's Bushplan.

ELECTRICITY SUPPLIES, KUNUNURRA

1680. Hon TOM STEPHENS to the Leader of the House representing the Minister for Energy:

I refer to your correspondence dated May 5 1999, reference 070345 regarding power supplies in Kununurra and ask -

- (1) Have the pre-existing contractual arrangements between Ord Hydro and Western Power been resolved?
- (2) If not, when will these matters be resolved?
- (3) Given that the Minister for Environment has agreed there have been delays in resolving these issues, does the Minister stand by his claim that large electrical customers have been able to source their power requirements from their supplier of choice in Kununurra since January 1999?

Hon N.F. MOORE replied:

- (1) No.

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- (2) Discussions between the relevant parties are continuing.
- (3) Deregulated customers supplied from the Regional Systems have been eligible to apply for open access since 1 January 1999.

SALINITY SUBMISSIONS, WEST KOOJAN-GILLINJARRA LAND CONSERVATION DISTRICT

1686. Hon KIM CHANCE to the Minister for Transport representing the Minister for Primary Industry:

I refer to the recent collection of submissions for the State Salinity Action Plan and ask -

- (1) Is the Minister for Primary Industry aware of the submission made by the West Koojan-Gillinjarra Land Conservation District to the State Salinity Council regarding a proposal for pine share-farm arrangements?
- (2) Will the Minister lend his support to the proposal for pine share farm arrangements as advocated by the West Koojan-Gillinjarra Land Conservation District?
- (3) If not, why not?

Hon M.J. CRIDDLE replied:

- (1)-(3) I am aware of this particular submission. This submission is one of 150 public submissions in response to the Draft Salinity Action Plan which is being reviewed by the State Salinity Council in conjunction with the relevant government agencies.

GOVERNMENT ADVERTISING, AUSTRALIAN NEWS ALLIANCE PTY LTD

1689. Hon TOM STEPHENS to the Attorney General representing the Minister for Labour Relations:

- (1) Was a State Government advertisement detailing the State Cabinet lodged for inclusion in Western Australia's 1999 Trades and Labor Council directory?
- (2) If yes, what was the amount paid to Australian News Alliance Pty Ltd for the inclusion of this advertisement in the directory?

Hon PETER FOSS replied:

- (1)-(2) An information list of State Cabinet members appears on page 74 of the Trades and Labor Council directory. I understand this is not a paid advertisement.

WESTERN POWER, KIMBERLEY

1690. Hon TOM STEPHENS to the Leader of the House representing the Minister for Energy:

- (1) Is Western Power currently being charged at the rate of 7 cents per unit for electricity in the North East Kimberley region by Ord Hydro?
- (2) If not, what is the rate that is currently being charged out by Ord Hydro to Western Power?
- (3) What rate per unit is Western Power in turn charging -
 - (a) high volume commercial users in the East Kimberley region;
 - (b) other commercial users;
 - (c) Government departments and agencies; and
 - (d) household consumers?
- (4) When will the Minister for Energy ensure that Government departments and other high volume users, including commercial operators, are able to negotiate directly with Ord Hydro and obtain a competitive electricity tariff?
- (5) Is the inflated price that Western Power is charging Government departments and agencies in the North East Kimberley (like the school and the hospital) effectively depleting the capacity of those instrumentalities to deliver much needed education and health services to this region?

Hon N.F. MOORE replied:

- (1)-(2) Commercially confidential information.

- (3) (a)-(b) M2 High voltage supply
fixed charge 24.31 cents per day.
energy charge 15.44 cents per unit for first 822 units per day.
20.00 cents for all consumption in excess of 822 units per day.
L2 Low/medium voltage supply
fixed charge 24.31 cents per day.
energy Charge 15.98 cents per unit for first 822 units per day.
20.00 cents for all consumption in excess of 822 units per day.
- (c) N2 fixed charge 28.65 cents per day.
energy charge: according to a formula as follows:
$$R = 18.90 + \frac{8.61 \times P}{52.14}$$

where: R is the rate to be calculated, and P is the automotive distillate import parity indicator.

- (d) A2 fixed charge: 23.39 cents per day.
energy charge: 12.75 cents per unit.

For multiple dwellings supplied through one metered supply point the fixed charge is at the rate of 23.39 cents per day for the first dwelling, and 18.17 cents per day for each additional dwelling.

- (4) Business customers in the region using more than 300 000 units of electricity per annum have been able to negotiate directly with third party generators on the supply of electricity since 1 January 1999.
- (5) Government Departments are correctly charged the N2 Cost of Supply tariff as approved by Parliament.

BUSHPLAN AREAS IN MUNDIJONG, LAND CLEARING

1700. Hon J.A. SCOTT to the Minister for Finance representing the Minister for the Environment:

Regarding Lot 2, Bird Road Oldbury and Lot 1, Jackson Road Oldbury in Mundijong -

- (1) Are these sites listed as potential Bushplan areas?
- (2) What approvals are necessary to carry out land clearing at these sites?
- (3) Has any clearing of these areas occurred since they had Bushplan listing?
- (4) If yes, does the land clearing have approval of -
- (a) Department of Environmental Protection;
- (b) Department of Conservation and Land Management; and
- (c) Agriculture WA?
- (5) If yes, when was clearance granted?
- (6) Does the proponent have all the necessary approvals for the dumping of waste and land clearing?

Hon MAX EVANS replied:

- (1) Yes, part of Lots 1 and 2 are listed as Perth's Bushplan Sites.
- (2) A Notice of Intent to Clear any bushland over 1 ha should be lodged with the Commissioner for Soil and Land Conservation.
- (3) None of the Perth's Bushplan area has been cleared since it was listed. A small area on Lot 2 (less than a hectare) has been cleared but this is outside the Perth's Bushplan boundary.
- (4)-(5) Not applicable.
- (6) Neither the owners of Lot 1 Jackson Rd, nor the owners of Lot 2 Bird Rd, Oldbury have approval from the Department of Environmental Protection to accept waste at their premises. A remediation strategy, submitted by the owners of Lot 15 Bird Rd for dealing with contaminated materials on Lot 15 and Lot 2 Bird Rd, Oldbury was accepted by the DEP subject to other additional requirements. No clearing Notices of Intent are required for areas less than 1 hectare.

ORD IRRIGATION SCHEME, TRANSGENIC COTTON EVALUATION

1706. Hon GIZ WATSON to the Minister for Transport representing the Minister for Primary Industry:

With respect to the allocation of \$659 000 from this year's State budget to the evaluation of transgenic cotton on the Ord irrigation scheme as reported in the *Countryman* on May 13, 1999, how is this money to be spent?

Hon M.J. CRIDDLE replied:

The budget allocation to evaluate the feasibility of cotton production in the Kimberley region in 1999/ 2000 is \$700,000 including overheads. The funds will be allocated as follows:

East Kimberley (\$602,200)

New pest management strategies will be test farmed on almost 1000 ha in the Ord River Irrigation Area by 11 growers.

The efficacy of a range of transgenic cotton varieties will be addressed against the key pest "cotton bollworm".

Evaluation of new cotton breeding lines will be carried out in collaboration with the CSIRO and Monsanto.

Public meetings and Cotton Strategy Group meetings will be held to present research results and discuss industry development issues.

West Kimberley (\$97,800)

Preliminary integrated pest management strategies will be evaluated through crop scouting.

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Bench marking of cotton insect biodiversity will be undertaken and study of local movement of bollworm moths will be carried out in collaboration with the CSIRO and Western Agricultural Industries.

Insecticide resistance levels in bollworms will be monitored.

Agriculture Western Australia will continue to support cotton industry development in the Kimberley through the provision of research services and strong linkages with commercial partners.

GOVERNMENT DEPARTMENTS AND AGENCIES, BUILDING CODE OF AUSTRALIA AND AUSTRALIAN STANDARDS

1707. Hon NORM KELLY to the Minister for Finance representing the Minister for Works:

- (1) Does the Department of Contract and Management Services (CAMS) insist that all tenders submitted by sub-contractors for construction work for all State Government departments throughout Western Australia comply with the Building Code of Australia and the Australian Standards?
- (2) Does CAMS insist that all construction work carried out by sub-contractors for other State Government departments throughout Western Australia comply with the Building Code of Australia and the Australian Standards?
- (3) Does CAMS insist that all construction work carried out by sub-contractors for all State Government departments throughout Western Australia comply with the correct Safety Standards?

Hon MAX EVANS replied:

It is important to note that there are a number of Government agencies involved in awarding construction contracts. CAMS is not responsible for the compliance provisions applied by these other agencies and the following advice relates to those contracts in which CAMS is directly involved.

- (1) CAMS receives tenders from the head contractor, not from sub-contractors. Where CAMS is Principal to a contract, the contract uses the Australian Standards General Conditions of Contract AS 2124, which requires that all work is carried out in accordance with all statutory requirements and where specified Australian Standards, even where the contractor has work carried out by a sub-contractor.
- (2) CAMS requires that construction work carried out by the contractors with whom CAMS has a contract, complies with the specification which, as set out in 1 above, requires that all work be carried out in accordance with all statutory requirements and Australian Standards where specified. This also applies where the contractor sub-contracts the work.
- (3) CAMS requires that all construction work carried out by contractors with whom CAMS has a contract, complies with the appropriate statutory requirements including the Occupational Health Safety and Welfare Act (1984) and associated regulations (1996). This also applies where the contractor sub-contracts the work.

GOLD ROUNDTABLE, BENEFITS TO INDUSTRY

1709. Hon MARK NEVILL to the Minister for Mines:

- (1) What benefits to the gold mining industry have flowed from the deliberations of the Gold Roundtable?
- (2) Who, from Western Australia, has attended meetings of the Gold Roundtable and on what dates?

Hon N.F. MOORE replied:

- (1) The Gold Roundtable was primarily a Commonwealth initiative in response to the severe market reaction to the Commonwealth's announcement that it had sold off a substantial amount of its gold reserves. The Gold Roundtable was held at Parliament House Canberra on 4 February 1998 and attracted key participants from Government and industry to discuss and identify the most effective ways to work together to improve the competitiveness of gold mining and production in Australia. A Gold Roundtable Working Group was established to continue the momentum of the Roundtable and met on 26 May 1998. Amongst other activities, the States took up one of the initiatives I brought to the initial Roundtable. The proposal for improved electronic data management has the potential to capture the vast geoscientific data stores currently held by the various States in digital form. This would vastly improve access and retrieval, lower cost and increase Australia's attractiveness for exploration, the lifeblood of the mining industry. The Chief Geologists Conference is following up this initiative and is to report to ANZMEC in July this year. Since the 1998 meeting, the Roundtable has been superseded by the Australian Gold Council which is chaired by Mr Robert Champion de Crespigny and meets regularly to advance the interest of the Australian gold industry.
- (2) The following were listed as attending the Gold Roundtable meeting held in Canberra on 4 February 1998 -

The Hon Norman Moore, Minister for Mines WA
Bob Stevens, Senior Advisor, Minister for Mines WA
Ian Satchwell, Chief Executive, WA Chamber of Minerals and Energy
Bob Sheppard, President, Amalgamated Prospectors and Leaseholders
Association of WA Inc

Lee Ranford, Director General, Department of Minerals and Energy WA
Des Kelly, Chief Executive Office, Department of Resources Development WA

Dr Pietro Guj of the Department of Minerals and Energy attended the only meeting of the Gold Roundtable Working Group on 26 May 1998.

MINISTRY OF JUSTICE, POLICY DIRECTIVES

1710. Hon N.D. GRIFFITHS to the Attorney General:

- (1) What new policy directives have officers of the Ministry of Justice been provided with as a result of the decision of the Full Court in *Titelius v Public Service Appeal Board and Ors* (1999) WASCA 19?
- (2) When were the policy directives provided?
- (3) If no new policy directives have been provided, why not?
- (4) When is it anticipated new policy directives will be provided?

Hon PETER FOSS replied:

- (1) An information bulletin has been prepared as a result of the decision of the Full Court in *Titelius v Public Service Appeal Board and Ors* (1999) WASCA 19 and distributed to all Magistrates Courts location.
- (2) 30 June 1999
- (3)-(4) Not applicable.

WATER RESOURCES, DENHAM-SHARK BAY

1718. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Water Resources:

- (1) Is the Minister for Water Resources aware of the concerns of local people in the Denham/Shark Bay area of the poor quality of the water supplied to their community?
- (2) Can the Minister outline the factors that contribute to the poor quality of this water supply?
- (3) What steps are to be taken to improve the quality of water supplied to the township of Denham/Shark Bay?
- (4) When will these steps be taken?

Hon MAX EVANS replied:

- (1)-(2) Due to the characteristics of the available artesian bore water, Denham has a dual water supply comprising:
 - High quality desalinated and chlorinated water for drinking purposes.
 - Chlorinated water for washing and external property use.
- (3) Minor improvements to the desalination plant have been implemented.
- (4) Not applicable.

EDUCATION, KUNUNURRA

1732. Hon TOM STEPHENS to the Leader of the House representing the Minister for Education:

In reference to the commitment of Government funds to improve educational facilities in the Kununurra area of the North East Kimberley region -

- (1) Has there been any budget allocation for 1999/2000 for a junior school at Lakeside Kununurra?
- (2) If not, why not?
- (3) When does the Minister for Education propose to provide purpose built accommodation for the upper secondary classes at the Kununurra District High School to replace the five demountable units at the high school?
- (4) When does the Minister propose to provide purpose built accommodation for the primary classes at the Kununurra District High School to replace the two demountable units in the primary school section?
- (5) What provision is there in the education budget for 1999/2000 for capital works at the Kununurra District High School?
- (6) What progress has the Minister made in delivering upon the commitments he made to the people of Kununurra in August 1997 to provide purpose built facilities for the upper secondary students at the local district high school?
- (7) What specific improvements have been completed at the Kununurra District High School for upper secondary students?

Hon N.F. MOORE replied:

- (1)-(2) The East Kimberley area encompassing Kununurra and Wyndham has been involved in a Local Area Education

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Planning process to carefully identify the future educational needs of the area. The Local Area Planning process is at the stage where three options for the future delivery of education have been released for community consultation, none of which include a new school at Lakeside.

- (3) The student population at Kununurra District High School has continued to grow, reflecting the good educational programs at the school. The school is well resourced with its existing facilities. In the short term, growth in all schools is accommodated with temporary classrooms. Kununurra is no different. The Local Area Education Planning process is expected to be completed late this year. Once it is finalised, a decision on what building program may be necessary will be made.
- (4) There are currently 23 classrooms of which two are temporary. Considering the needs of Kununurra in relation to other schools, it is unlikely that Kununurra District High School will be prioritised higher than other schools for capital works in the primary section. Until there is significant further growth, it is unlikely additional permanent primary classrooms will be built.
- (5) There is provision for a new transportable pre primary building to be provided to Kununurra District High School from the 1999/2000 Capital Works budget.
- (6) Considerable progress has been made through the Local Area Education planning process. This process is at the community consultation stage and the local community is currently considering three options developed as part of this process. All options include a capital works program. The consultation phase also allows for additional options to be considered.
- (7) A comprehensive program of both tertiary entrance and vocational courses has been developed for upper secondary students at Kununurra District High school. An additional 2.5 full-time equivalent (FTE) in staffing resources have been added to the school's teaching complement to ensure the needs of all students, particularly upper-secondary students, are adequately met.

One of the major objectives of Local Area Education Planning is to further strengthen post-compulsory education in Kununurra and foster closer links with TAFE.

SCHOOL DRESS CODE

1740. Hon HELEN HODGSON to the Leader of the House representing the Minister for Education:

- (1) Does the Education Department have a policy regarding sanctions against students who do not comply with the school dress code as prescribed by the school council?
- (2) What is this policy, and does it depend upon any issues of risks to the safety of students?
- (3) Has any school suspended students for not complying with the dress code of that school?
- (4) If so, did the contravention present a safety risk to the student?

Hon N.F. MOORE replied:

- (1) Yes. There is a policy relating to dress codes which addresses the sanctions that can be taken against students who contravene their school's dress codes.
- (2) The policy *Dress Codes for Students in Government Schools*, June 1997, provides for schools to adopt dress codes (including sanctions for non-compliance) in consultation with their school communities. The policy states that in developing dress codes schools should take account of a number of factors including "safety considerations".
- (3) Since the introduction of the dress code policy, the Education Department has no record of non-compliance with dress codes being the reason for suspension of students by any government school.
- (4) Not applicable.

MINING, COURT HEARING ON TENEMENT APPLICATIONS

1741. Hon TOM HELM to the Minister for Mines:

I refer to a fax (four pages) from Mr Bob Stevens who I understand is a Senior Policy Officer and adviser to Hon Norman Moore, Minister for Mines, dated November 17, 1998 addressed to Ms Nuala Brown, and ask -

- (1) Does the Minister stand by the statement "There was one "hearing" on 20/9/98 involving four tenement applications (and their cross objections) jointly and severally"?
- (2) If so, can the Minister explain why he considers there was "one hearing" or one case for the "four tenement applications"?
- (3) If not, can the Minister explain why?

Hon N.F. MOORE replied:

- (1) Yes.
- (2) Please refer to my answer to part (1) of Question Without Notice 473 asked 11 November 1998.

- (3) Not applicable.

RESOURCE PROJECTS, IN EXCESS OF \$10M

1744. Hon JOHN HALDEN to the Leader of the House representing the Minister for Resources Development:

Will the Minister for Resources Development table the number and value of each resource project valued at over \$10m that are committed to commencing construction in Western Australia in the next two years?

Hon N.F. MOORE replied:

- (1) There are seven resource projects on the Department of Resources Development's project list that are committed projects. All are under construction. These are:

Kwinana Ammonia Plant (Wesfarmers CSBP), value: \$150 million.
 Worsley-Boddington Alumina Refinery Expansion (Worsley Alumina), value: \$800 million.
 Dampier Port Expansion (Hamersley Iron), value: \$190 million.
 Laminaria/Corallina Oil Fields (Woodside Energy), value: \$1.3 billion.
 Onslow solar salt field (Onslow Salt), value: \$80 million.
 Windimurra Vanadium Pentoxide Project (Vanadium Australia), value: \$110 million.
 Mid West Gas Pipeline (AGL/Western Power), value: \$60 million.

In addition, there are more than 50 projects on the Department's list that are under consideration, with a total value of over \$36 billion. Market forces will determine which of these projects proceed to construction in the next two years.

FAMILY SUPPORT SERVICES, FUNDING

1746. Hon CHERYL DAVENPORT to the Minister for Transport representing the Minister for Family and Children's Services:

- (1) Why is there no additional funding in the budget to assist existing family support agencies to meet increasing unmet need for services?
 (2) Why was there no budgetary commitment to fund family support services in areas of unmet need?
 (3) Why is there no additional budgetary funds for financial counselling services in areas identified as high need?
 (4) Why is there no additional budgetary resources to implement the Poverty Task Force recommendations, other than for Nils scheme?

Hon M.J. CRIDDLE replied:

- (1) In 1999/2000 an additional \$552,000 has been provided for the State Government's commitment to meet CPI increases on non government services funded by Family and Children's Services where Commonwealth State indexation does not apply. This indexation will apply to all Family Support services.
 (2) In 1999/2000 additional family support services will be established, including:
 Intensive casework and family treatment teams will be introduced in the metropolitan area. The teams will provide intensive and professional services for children in care who have been abused, and for families who have multiple problems and are unable to provide a safe environment for their children;
 Expansion of the Parent Link home visiting service for parents caring for children aged zero to five years;
 A parent support service for parents caring for children aged 10 –14 years.
 (3) The 52 Financial Counselling services throughout the State will receive adjusted indexation for 1999/2000 in line with the projected Perth CPI of 2.25%. The need to provide additional funding to 24 hour and extended hours services resulting from the introduction of industrial awards was the highest priority for increased funding. This priority reflected the need to quarantine existing levels of service in 1999/2000.
 (4) The Government released its comprehensive response to The International Year for the Eradication of Poverty Task Force recommendations on 10 July 1998. I table a copy of that response. That response included among other things, consideration of the NILS scheme and also the allocation of \$20,000 per annum for an annual Churchill Fellowship to specifically address poverty issues for the remainder of the Decade for the Eradication of Poverty. [See paper No 1202.]

WESTERN POWER, INTEGRATED POWER SERVICES

1750. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Energy:

- (1) Has Integrated Power Services (IPS) been awarded preferred tenderer status by Western Power?
 (2) If yes -
 (a) when was this status granted;

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- (b) why was IPS made a preferred tenderer; and
 - (c) will the Minister table any other firms that have preferred tenderer status with Western Power?
- (3) On what date was IPS registered with the Australian Securities and Investment Commission?

Hon N.F. MOORE replied:

- (1)-(2) This is commercial information.
- (3) 17 January 1998

WESTERN POWER, SURPLUS EMPLOYEES

1751. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Energy:

With regard to the 400 Western Power generation employees who will lose their jobs over the next four years -

- (1) Is it the Minister's intention to remove surplus employees from site when they are no longer required?
- (2) If yes, when will the first of these surplus employees be no longer required?
- (3) What will become of those employees that do not wish to be made redundant?

Hon N.F. MOORE replied:

- (1) Western Power intends that employees whose jobs are redundant but who do not accept a redundancy offer will undergo specific skills training (provided by specialist trainers) off site at Perth, Rockingham and Collie.
- (2) Not applicable.
- (3) Those employees will be redeployed to other positions if and when they become available.

MINES ACT, AMENDMENT

1761. Hon TOM HELM to the Minister for Mines:

- (1) When will the Minister announce amendments to the *Mines Act* to reflect compliance with National Competition Policy Guidelines?
- (2) Will the Minister use the opportunity of the announcement to amend the Act or table regulations to allow access to leases presently unavailable to smaller operators?

Hon N.F. MOORE replied:

- (1) Some aspects of compliance of the Mining Act with the National Competition Policy Guidelines have not yet been fully addressed, hence no specific deadline can be established at this stage as to the announcement of relevant amendments, if any.
- (2) Not applicable.

QUESTIONS WITHOUT NOTICE

BUS CONTRACT

1446. Hon TOM STEPHENS to the Minister for Transport:

Has the minister and/or Mercedes Benz signed the contract for the purchase of 840 new buses; if not, why not?

Hon M.J. CRIDDLE replied:

I have not signed the contract with Mercedes Benz yet. There is a letter of intent from the former Director General of Transport, Dr Whitaker. Things are progressing. We are close to an agreement on the issue, and I hope it will be finalised in the near future.

TRANSPERTH BUS, DEATH OF MAN

1447. Hon TOM STEPHENS to the Minister for Transport:

I refer the minister to the tragic reports of the death of a man while travelling on a metropolitan bus. What procedures does Transperth and the private bus companies have in place for such emergency situations, particularly when prompt action by the bus driver is called for?

Hon M.J. CRIDDLE replied:

A very unfortunate incident occurred today with the death of a man on a Transperth bus. The driver involved was an experienced driver. I understand that the passenger was assisted on the bus and a series of events resulted in his passing away. Decisions were made by the driver following that incident, and I understand that the driver is traumatised over it.

Transperth is undertaking a full review of the very tragic occurrence. Regarding the initiatives in place, the understanding in such incidents is that the bus should be stopped and base radioed for immediate medical assistance. The bus is to remain at the site until assistance arrives or as directed by the radio control to render any assistance to the passenger and to make alternative travel arrangements for the other passengers. I emphasise that people act differently when placed under pressure. In this case, the unfortunate driver probably was in error. However, moves are being made to overcome that in the near future. I understand also that the driver had a St John Ambulance certificate. The whole series of events is a tragedy for the family of the deceased gentleman.

LOTTERIES COMMISSION, IMPACT OF THE GOODS AND SERVICES TAX

1448. Hon N.D. GRIFFITHS to the Minister for Finance:

- (1) Given that the goods and services tax package has passed the Senate and that the Premier has signed an intergovernmental agreement on the matter, can the minister now confirm that the Lotteries Commission must pay a GST on its operating margin, which could mean a cut in funds available for community health and sporting groups?
- (2) If so, what is the anticipated funding cut?
- (3) Has the minister been able to secure specific GST compensation for the Lotteries Commission from Treasury or the Commonwealth; if not, why not?

Hon MAX EVANS replied:

- (1)-(3) If the member goes back, the figure I worked out before in this regard was \$15m or \$16m. With the procedure to pick up that funding, we could change the legislation to effect other distribution, or the funds which can be given out. The Act outlines that we must give out 5 per cent. Therefore, 5 per cent of \$440m is about \$22m which must be given out under the legislation. As a result of good management and so on, we will distribute \$41m, which is approximately \$21m more than we must distribute under the Act. The equivalent figure was \$45m last year. We must only make the 5 per cent, and the extra part could be affected by the GST. We have not worked it out, but we will. We will see whether it will be compensated by the State or Federal Governments. Other States pay it straight off the top as it comes out through government revenue. That is the compensating factor. In New Zealand 12.5 per cent is paid from ticket sales off the top. I do not know what happens in England with its value added tax. In Australia, it will be a tax on the profits from gaming.

MR LUKE SARACENI

1449. Hon J.A. SCOTT to the minister representing the Minister for Local Government:

- (1) Is the minister aware that Mr Luke Saraceni of Saracen Properties Pty Ltd, the developers for Tower Brick, is a former Swan Shire planner?
- (2) If yes, will he please detail his period of employment and the position held?
- (3) Did Mr Luke Saraceni during his period of employment with the Swan Shire -
 - (a) have any involvement in the approval or disapproval of brick works, or any other noxious industries in the Swan Shire region; if yes, please detail them;
 - (b) have any involvement with zoning amendments for Hazelmere; if yes, please detail; and
 - (c) develop a working relationship with staff or councillors currently holding a position in the Swan Shire, or anyone employed by the Shire?
- (4) If this is found to be in contravention of clause 34C of the Local Government Administration Regulations, what action will the minister take?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question. Due to time constraints, I ask the member place it on notice.

BRISTILE BRICK KILNS, BELMONT

1450. Hon NORM KELLY to the Attorney General representing the Minister for Heritage:

- (1) Does the minister support the retention of the eight national heritage registered Bristile brick kilns at Belmont?
- (2) What action is the minister taking to ensure that these historical kilns are retained?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1)-(2) The kilns are entered into the Register of Heritage Places and have the protection of the Act. I understand that the Western Australian Planning Commission, the owner of the place, is negotiating with the Heritage Council of WA regarding road planning proposals in the area. The Minister for Planning is awaiting the resolution of these negotiations.

[COUNCIL]

DEPARTMENT OF ABORIGINAL AFFAIRS, SOUTH WEST

1451. Hon MURIEL PATTERSON to the Minister representing the Minister for Aboriginal Affairs:

- (1) What towns in the south west have an Aboriginal Affairs Department office?
- (2) How many people are working in each office?
- (3) How many of these people are involved in community liaison?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) There is currently one office of the Aboriginal Affairs Department in the south west, which is located in Albany. However, as part of the State Government's regional expansion initiative, additional offices are planned for Bunbury, Narrogin and Mandurah before the end of this year.
- (2) Five people currently work in the Albany office and the new offices will be staffed by either one or two officers.
- (3) All five staff in the Albany office are involved in community liaison. It is intended that staff in the new offices will also be involved in this role.

DISTRIBUTION ADJUSTMENT ASSISTANCE SCHEME

1452. Hon KIM CHANCE to the minister representing the Minister for Primary Industry:

I have not provided the minister with the answer!

- (1) How many participants in the distribution adjustment assistance scheme C have received offers of additional assistance under the "further government offer"?
- (2) If any scheme C participants have received offers under this arrangement -
 - (i) how many such offers were made;
 - (ii) how many were accepted; and
 - (iii) what was the total amount of funds involved in the offer to the scheme C participants?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1)-(2) The Dairy Industry Authority of Western Australia made a further assistance payment offer totalling \$1 696 898.97 to the 19 participants in scheme C of the distribution adjustment assistance scheme. As at 31 May 1999, 11 of the 19 participants in scheme C of the DAAS have accepted a further assistance offer.

AUDITOR GENERAL'S REPORT ON THE PUBLIC HEALTH SECTOR

1453. Hon E.R.J. DERMER to the minister representing the Minister for Health:

I refer to the Auditor General's report on the Western Australian public health sector of April 1999 which states that the Health Department of Western Australia's statistics indicate that more than 97 per cent of medical equipment has now been tested and less than 2 per cent has been found to be noncompliant for the year 2000 computer date problem.

- (1) By what date will the remaining three per cent of medical equipment be tested?
- (2) By what date will all noncompliant equipment be either replaced or upgraded to achieve compliance?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) The testing of all medical equipment assessed as critical for patient care will be completed by 31 July 1999. Currently less than 0.2 per cent of the medical equipment inventory remains to be tested.
- (2) Remediation for all noncompliant equipment is scheduled to be complete by 31 August 1999.

FREEDOM OF INFORMATION APPLICATION, CORE FUNCTIONS PROJECT

1454. Hon LJILJANNA RAVLICH to the Minister for Justice:

- (1) Can the minister explain why, following one year of negotiation in respect of a freedom of information application regarding the core functions project, the Ministry of Justice has not forwarded key freedom of information documents which were due at my office on 29 June 1999 under the instruction of the Information Commissioner?
- (2) Is the minister aware that these documents have been ready to sign by the chief executive officer of the Ministry of Justice for the past three days and he is intentionally obstructing the freedom of information request by refusing to sign off these documents?

- (3) If so, what does the minister intend to do to ensure that these documents obtained through freedom of information are made publicly available?

Hon PETER FOSS replied:

- (1)-(3) I will do my best to answer this question, because obviously this is a matter relating to something that is handled within the Ministry of Justice, and it would probably have been better if I had been given notice of the question.

My understanding is that there has been a tremendous amount of negotiation with Hon Ljiljanna Ravlich to try to reduce the number of requests.

Hon Ljiljanna Ravlich interjected.

Hon PETER FOSS: Yes, and it was a successful negotiation. Part of the problem now is the fact that a large number of people are entitled under the Freedom of Information Act to be consulted. The member knows that to be the case, and she also knows that is one of the reasons for the delay. I am not aware that these documents have been with the Ministry of Justice for the past three days, and I am sure that the chief executive officer is not intentionally obstructing the FOI request. I am sure that neither of those facts is correct. I do not believe I have to do anything whatsoever, because the Director General of the Ministry of Justice will carry out -

Hon Ljiljanna Ravlich: It has taken one year to get it from the Ministry of Justice. That is a disgrace.

The PRESIDENT: Order! I have other questions that members want to ask. If the minister will address his answer to me and if Hon Ljiljanna Ravlich will give her colleagues a fair go, we might be able to have some more questions.

Hon PETER FOSS: I think the outburst and the behaviour of the person asking the question shows how difficult it would be to try to deal with a person like that in order to arrive at some sensible negotiation. The Ministry of Justice has my utmost sympathy for having to deal with her, because if she is as difficult to deal with over an FOI -

Hon Tom Stephens: Rubbish!

The PRESIDENT: Order!

Hon PETER FOSS: If she is as difficult to deal with -

Hon Tom Stephens: She is great to deal with - a pleasure to deal with.

The PRESIDENT: Order!

Hon PETER FOSS: She raised this for the very first time in a debate recently. She started asking me whether she could have some documents that she was referring to in a schedule. When I said that was the first I had heard about it and I asked her to let me have the schedule - we even tried to get her to table the schedule - she refused. This member made all these protestations about wanting to have these documents. However, as soon as I asked her to let me have a copy of the schedule so that I could assist her, she utterly back-pedalled at a thousand miles an hour and refused.

Hon N.D. Griffiths: What are you hiding?

Hon PETER FOSS: What is she hiding?

The PRESIDENT: Order! There is no need for members to yell at me. If the Attorney General wants to yell at Hon Ljiljanna Ravlich, he should not do it inside the House. Hon Ljiljanna Ravlich and the Attorney General can just go outside together, because the rest of the members are getting sick and tired of not being able to ask questions because of interjections.

Hon PETER FOSS: We heard through that debate and in the course of this one that this is a protestation which does not bear much examination when one sees how real is the degree to which she is prepared to cooperate. She has demonstrated quite plainly that it is all just protestations, because when I tried to assist her she refused to allow me to do so by refusing to give me the schedule. Her complaints should be disregarded.

DIRK HARTOG NATIONAL PARK, CREATION

1455. Hon GIZ WATSON to the minister representing the Minister for Lands:

In respect of the purchase of Dirk Hartog pastoral lease in order to create the Dirk Hartog national park within the Shark Bay world heritage area, the Government has indicated its intention to purchase the lease in order to facilitate the creation of the national park.

- (1) Has the Government commenced negotiations for the purchase of the lease?
- (2) If yes, at what stage are the negotiations for the purchase?
- (3) If yes, has the minister received advice as to the valuation of the lease?
- (4) If yes, what is the valuation of the lease?
- (5) When does the minister expect negotiations to be finalised for the purchase of the pastoral lease?

[COUNCIL]

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Yes.
- (2) Negotiations are still in progress.
- (3) Yes.
- (4) It is not considered appropriate to release the valuation as negotiations are still in progress.
- (5) As soon as the negotiations have been completed. At this stage the minister is unable to provide a specific date.

KALGOORLIE, HOUSING LAND

1456. Hon GREG SMITH to the minister representing the Minister for Lands:

- (1) When will the additional housing land in Kalgoorlie that has been recently released become available?
- (2) Under what conditions has native title been lifted to allow this to happen?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) The Department of Land Administration is in the process of implementing a strategy which is aimed at having lots on the market in the first half of the year. This planning will result in a potential lot yield of between 200 and 400 lots in the short to medium term.
- (2) The consent future act determination under the Native Title Act to enable the development to proceed came after three years of negotiations under the processes of the commonwealth law and has involved considerable resources to reach this stage. The agreement provides that the State will - carry out an Aboriginal heritage survey, develop a management strategy if any significant sites are identified and comply with the Aboriginal Heritage Act in relation to these sites; seek agreement from the city of Kalgoorlie-Boulder to adopt an Aboriginal theme in the naming of streets, parks and other features; ensure major works tenderers are aware of Aboriginal people seeking employment and training opportunities; and set aside within the development area two hectares of land for the general purpose of an Aboriginal cultural and heritage centre and park. The area will remain an unmanaged reserve pending determination of native title.

The agreement reserves the right to claim compensation in the future should native title be determined to exist.

The need for an agreement of this nature, and the time and difficulty to achieve it, over land where native title is only claimed further highlights the unworkable nature of the current native title system in Western Australia. The agreement does not resolve the native title claims on the land involved. That process is continuing and may involve litigation.

LOFTUS STREET BRIDGE TENDERS

1457. Hon TOM STEPHENS to the Minister for Transport:

I refer to the decision of Main Roads WA to appoint Evans and Peck Management to assess the Loftus Street bridge tenders, and claims made by Main Roads that the decision to use Evans and Peck was made in advance of the close of tenders. Can the minister explain why, subsequent to the close of tender, Mr Karamfiles sent letters to the tenderers describing himself as the tender assessment officer, and why he was answering questions directed from tenderers as a tender assessment officer after the date of close of tenders?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question. I am advised that in order to complete the assessment in the required time frame, Evans and Peck Management, under an existing contract for the engineering support to Main Roads, was utilised in the assessment of the Loftus Street duplication tenders. While Evans and Peck assisted with the assessment, Mr Karamfiles remained Main Roads' tender assessing officer.

PINJARRA BYPASS

1458. Hon J.A. COWDELL to the Minister for Transport:

- (1) Have funds been provided in the forward estimates for the Pinjarra bypass?
- (2) What is the timetable for the Pinjarra eastern bypass?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) No.
- (2) At this stage, planning indicates that the bypass will be required in 10 to 15 years.

TONKIN HIGHWAY SOUTHERN EXTENSION

1459. Hon MARK NEVILL to the Minister for Transport:

- (1) Can the minister confirm that the \$4m not spent on planning for the southern extension of Tonkin Highway in 1998-99 will be allocated to the project in 1999-2000?
- (2) Can the minister explain why the amount does not appear in this year's budget papers?
- (3) Given it did not appear in the budget, will an additional allocation from Treasury be needed to cover the sum?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) Any unspent 1998-99 funds for the Tonkin Highway project will be allocated to the project in 1999-2000.
- (2) These funds were approved in Main Roads' 1998-99 budget.
- (3) No.

EXPLORATION LICENCES, APPLICATIONS

1460. Hon TOM HELM to the Minister for Mines:

- (1) How many applications for exploration licences were pending as at 30 June 1999?
- (2) Of those pending applications, how many were -
 - (a) applications in the Mining Act process;
 - (b) applications awaiting submission to section 29 processes;
 - (c) applications in the section 29 advertising period;
 - (d) applications awaiting applicants' confirmation that they are in a position to commence negotiations;
 - (e) applications subject to negotiation and/or mediation; and
 - (f) applications subject to determination?
- (3) How many pending applications from mineral titles of all types were subject to negotiation or mediation as at 30 June 1999?
- (4) How many case officers have now been allocated within the Department of Minerals and Energy to handle the State's role in these negotiations?
- (5) How many of the pending applications have been designated as priority applications?
- (6) How many of these priority applications are currently being negotiated by Department of Minerals and Energy case managers?

Hon N.F. MOORE replied:

- (1) 2 864
- (2)
 - (a) 910;
 - (b) 614;
 - (c) 610;
 - (d) nil;
 - (e) 367;
 - (f) nil.
- (3) 3 210.
- (4) Five.
- (5) 1 080.
- (6) 245.

BUNBURY RAILWAY STATION RELOCATION

1461. Hon CHRISTINE SHARP to the Minister for Transport:

When does the minister intend to release the feasibility study on relocating the Bunbury Railway Station into the central business district? Does he have any intentions of pursuing the matter of the relocation of the Bunbury Railway Station into the city centre?

[COUNCIL]

Hon M.J. CRIDDLE replied:

We have had some discussions about that. I have not decided on a time frame or the release of the study.

GOODS AND SERVICES TAX, PUBLIC HOUSING RENTS

1462. Hon BOB THOMAS to the minister representing the Minister for Housing:

I refer to the guarantee sought by the Democrats that under the goods and services tax package, public housing rents, which are linked to the level of pensions, will not increase as a result of the increased GST-related compensation.

- (1) Does this mean that Homeswest rents, which are not linked to pensions, will increase as a result of the GST?
- (2) If so, what is the expected increase in average two, three and four-bedroom Homeswest homes?
- (3) What is the expected additional revenue from any proposed increase?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Homeswest's rents are not linked to pensions and are determined by the current market value.
- (2)-(3) Not applicable.

MINISTRY OF SPORT AND RECREATION,

1463. Hon KEN TRAVERS to the Minister for Sport and Recreation:

I refer to the minister's answer on Tuesday that three organisations funded by the Government are being considered for inclusion within the Ministry of Sport and Recreation.

- (1) Given that the three organisations in question receive total funding of \$495 900 from the sports lottery account, what additional funding is being provided to the ministry to cover this funding?
- (2) If it is none or less than \$495 900, can he guarantee that these organisations will not receive less funding than they did previously?
- (3) What assurances can he give to current employees of the organisations of their continued employment?

Hon N.F. MOORE replied:

- (1)-(3) The question asked by the member the other day perhaps needs more explanation. Three organisations have been set up over time: The Women's Sport West Foundation, the Aboriginal Sports Foundation, and the Coaching Foundation. All were set up for some purpose before my time. They took on roles which had previously been the responsibility of the Ministry of Sport and Recreation. I suspect there were two reasons for setting them up: One was a view by some people that the ministry was not doing the job well enough with respect to the issues that these foundations were to cover, and the second is that it was a way in which the Government of the day could use the sports lottery fund for government purposes. The sports lottery fund does not exist for government and administrative purposes. That is the purpose of the member's question today - to see what we will do about that issue.

I have been discussing with these three organisations their future because I am concerned very genuinely - this is substantiated by work that has been done by others - that the issues of women in sport, coaching and Aboriginal sport tend to be not backburner issues within the ministry itself, but issues that, because other agencies are already dealing with them, are perhaps not getting the attention they deserve within the broader government agency with the responsibility for sports and recreation across the State. I have been talking with them about how we might bring within the ministry itself a far greater emphasis on women in sport, Aboriginal people in sport and coaching so that the whole of the ministry itself has a role with every issue affecting sport and recreation. I have not made any decisions about the future of these three foundations other than to say that there is no reason that they cannot continue if they wish. I am talking more about the ministry itself picking up the role that they have been undertaking.

The question of finance would need to be determined and assessed. It is possible that the funds that the ministry is currently spending out of its consolidated fund may be funds that could be spent out of the sports lottery account and a transfer could be arranged between the two funds - it is not altogether a difficult task. I want to make it very clear that no pressure is being put on anybody here to do anything; it is simply an attempt by me as minister to give the Ministry of Sport and Recreation a far greater role in all the issues affecting sport and recreation across the State, rather than have a range of other little organisations that all take on a certain role. It would be far better for the organisation if it could say that it is responsible for sport and recreation right across the board. When the Government makes a decision about this, I will let the House know the answers about the money and how it will be transferred from one fund to another.

SYDNEY OLYMPIC GAMES, SCHOOL HOLIDAYS

1464. Hon TOM HELM to the Minister for Sport and Recreation:

- (1) Does the minister consider it appropriate to move the September 2000 school holidays forward one week so the sporting organisations and families can enjoy and attend the Sydney Olympic Games?

- (2) Has the minister been contacted by any such groups seeking his support for this proposal?
- (3) Has the minister been in contact with the Minister for Education about this matter?
- (4) If not, why not?

Hon N.F. MOORE replied:

- (1)-(4) The question of when school holidays are held is not my responsibility as Minister for Sport and Recreation. However, I am aware of the issue raised by the member.

Hon John Halden: You can speak to your friend, the minister.

Hon N.F. MOORE: I think that was a very unfair interjection.

Several members interjected.

Hon N.F. MOORE: The Minister for Education has responded to this issue by indicating - and I am going on memory - that a decision about the 2000 end of third term holidays was made in the context of the decision about the Royal Show, when that will be held and the effect changing the school holidays would have on the Royal Show. The view was more people will go the Royal Show than to the Sydney Olympics. I do not know whether that is accurate but members need to understand that one week of the Sydney Olympics coincides with one week of our school holidays. I think the minister indicated that there may be some - I do not think one would call it truancy - absenteeism during the week which does not coincide. I am not aware of the matter being brought to my attention by any organisations. A teacher friend of mine who wants to attend the Olympic Games rang me and asked what I am doing about it and I am in the process of promoting that view. However, I think the decision has been made and I accept the reasons for it.

BUNBURY SOUTH WEST POPULATION HEALTH UNIT, STAFFING

1465. Hon BOB THOMAS to the minister representing the Minister for Health:

- (1) What is the staffing profile of the South West Population Health Unit in Bunbury?
- (2) Which of those positions are filled permanently and which are filled on an acting basis?
- (3) How long has the position of director been vacant?
- (4) Why has this position not been filled?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Fifteen people - eight full time, six part time and one casual - are employed in the unit.
- (2) Of these people, six are permanent staff, eight are contracted employees and one is casual.
- (3) The previous director of the unit resigned on 20 November 1998.
- (4) A review of the functions has been conducted in order to determine the best staffing structure by which to discharge the functions required. This review has been conducted because of the desire to establish a separate south west public health unit managed by the South West Health Services. The South West Population Health Unit is currently managed by the Lower Great Southern Health Service which is based in Albany.

WOODIE WOODIE ROAD CONTRACT

1466. Hon TOM STEPHENS to the Minister for Transport:

- (1) When were the variations worth \$2.206m approved on the Woodie Woodie road contract 890/96?
- (2) When were Henry Walker Contracting Pty Ltd granted contract 1003/97?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) The variations were approved over the period 27 November 1997 to 13 August 1998.
 - (2) Contract 1003/97 was awarded on 24 April 1998.
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