



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
THIRD SESSION
1999

LEGISLATIVE ASSEMBLY

Tuesday, 14 September 1999

Legislative Assembly

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THE DEPUTY SPEAKER (Mr Bloffwitch) took the Chair at 2.00 pm, and read prayers.

SULTANATE OF OMAN, STORAGE DAMS

Statement by Minister for Water Resources

DR HAMES (Yokine - Minister for Water Resources) [2.02 pm]: I am pleased to announce that the Water and Rivers Commission, in partnership with two consulting companies, has won a tender to provide a feasibility study for storage dams in the Sultanate of Oman. The awarding of this international tender to Western Australia is recognition of the high standard of work in our State's water industry.

I recently met with the Sultanate of Oman's Minister for Water Resources, Hamid Bin Said Al Aufi, to sign the contract and share experiences in ground water management and water resource legislation. The Sultanate of Oman is situated in the south eastern corner of the Arabian Peninsula between Saudi Arabia and Yemen. It receives only 100 millimetres average rainfall each year. The scarcity of water in Oman is clearly evident and the traditional water systems are not capable of satisfying present-day demands for water. The Sultanate of Oman is keen to identify and assess options to increase the availability of water resources in the sultanate. There is an urgent need to provide additional water supplies and recharge overdrawn ground water systems. Oman's climate is similar to the arid regions of Western Australia. The experience of developing water resources in our Gascoyne and Pilbara regions is considered an excellent background to providing Oman with expert advice.

The Water and Rivers Commission, in conjunction with Geo-Eng International Pty Ltd and Dames and Moore Pty Ltd, will review hydrological information, assess local water resource issues and recommend suitable sites for dams in Oman. The feasibility studies will be completed over two phases in the coming months. This tender will also allow us to expand our own knowledge and help establish Western Australia as a world-class centre for water management.

COCKBURN SOUND, DISCHARGE OF ARSENIC BY CSBP LTD'S KWINANA PLANT

Statement by Minister for Health

MR DAY (Darling Range - Minister for Health) [2.04 pm]: I take the opportunity to update the House on the serious incident involving the discharge of about 900 kilograms of arsenic trioxide compound into the Cockburn Sound from CSBP Ltd's Kwinana plant. The arsenic was contained in process liquors in a plant that was being shut down. It escaped via a steam heating system into the stormwater drainage system. From there it was discharged into Cockburn Sound.

The loss of arsenic is thought to have occurred over a period of six weeks. On becoming aware of the extent of the leak, the Department of Environmental Protection immediately advised the Health Department of Western Australia and Fisheries WA. The aim was to ensure a swift and coordinated response. Samples of mussels, crabs and other seafoods together with water and sediment were taken and analysed by the Chemistry Centre (WA). As a consequence of the spill, the Health Department issued a public health warning for people not to eat seafood caught in Cockburn Sound. Mussel growers from Cockburn Sound voluntarily withdrew their product from the market and stopped harvesting mussels, pending test results on arsenic levels. Shortly after, Fisheries closed Cockburn Sound to commercial and recreational fishing.

Initial results for total arsenic in seafood showed values between one and eight milligrams per kilogram. Further tests were required to determine the proportion of toxic inorganic arsenic. The safe limit is one milligram of inorganic arsenic per kilogram of flesh. Results received earlier today showed that the levels of inorganic arsenic were less than 0.04 milligrams per kilogram. This is well below the maximum permitted concentration for seafood.

Water samples were also taken after CSBP advised that the release of contaminated stormwater into the sound had stopped. These samples indicated values of one microgram per litre, which is consistent with background levels for seawater. These results suggest there is no ongoing water contamination from the arsenic leak and that the spilled material has dispersed. On the basis of this information, the Health Department is satisfied that there is now no risk to public health and safety. It has advised the public and industry that fishing can resume in Cockburn Sound. While results suggest no long-term contamination, further analysis of the fate of the spilled material is being determined. This may result in more sampling.

The departments involved are to be commended for acting promptly to protect public health and the environment of Cockburn Sound. The Department of Environmental Protection is continuing its investigations in relation to enforcement procedures under the Environmental Protection Act.

WESTERN AUSTRALIAN TRADE OFFICE, SURABAYA, EAST JAVA

Statement by Minister for Commerce and Trade

MR COWAN (Merredin - Minister for Commerce and Trade) [2.07 pm]: I inform the House of the situation regarding the Western Australian Trade Office at the World Trade Centre in Surabaya, East Java. I assure the House that all four staff are safe and that the office, whilst damaged and unserviceable, is secure. The Department of Commerce and Trade is in regular contact with David Edwards, the regional director. This morning, Mr Edwards told the department that he did not believe he and his staff were in any immediate danger. He also said additional police have been stationed at the World Trade Centre today and that his contacts say the general atmosphere in the area appears calmer than it was yesterday.

Mr Edwards said that the incident occurred shortly before midday yesterday. He said he had received advance warning from local contacts that some protest action might follow the Indonesian Government's decision to accept a United Nations peacekeeping force in East Timor. He said the warnings had enabled him and his staff to gather all valuable information, both hard copy and computer data, and leave the building before the demonstrators arrived. He understands that a number of people entered the office after breaking a glass door and damaged office furniture and equipment.

Western Australia has had a sister-state relationship with East Java province since 1990. It is the Western Australian Government's intention to re-open the office when damage is repaired and conditions are considered appropriate. The department is in regular contact with the Department of Foreign Affairs and Trade and the Australian Embassy in Jakarta regarding the situation in Surabaya.

In addition, the Western Australian Government will write to the Australian Ambassador to Indonesia to protest formally about the actions of the demonstrators. The Chief Executive Officer of the Department of Commerce and Trade has spoken to the Indonesian Consul in Western Australia to explain Western Australia's views on the matter.

LEADER OF THE OPPOSITION - PERSONAL EXPLANATION

Hon N.D. Griffiths

DR GALLOP (Victoria Park - Leader of the Opposition) [2.09 pm]: Following on from the 90-second statement that I made last week, I have now received from the Clerk of the Legislative Council a response to my request that he inquire into the probity issues raised by *The Australian* article of 9 September 1999. In his letter, the Clerk pointed out that he is not in a position to express an opinion about the propriety of the case. However, he has provided advice on the legal and conventional context in which this matter should be considered. In doing so, the Clerk referred to the Ministry of the Premier and Cabinet's guidelines for parliamentary and electorate offices, the Victorian Members of Parliament (Register of Interests) Act 1978 and the Western Australian Commission on Government. In relation to these, the Clerk noted that the interpretation or degree of applicability of those rules or standards is left to a member's discretion in some circumstances. This is so even when professional advice is available or sought. The Clerk stated -

If, subsequently, the member is found to have erred, the question of culpability may arise if it appears that -

the member's purpose was corrupt; or

the member acted with an improper motive; or

any subsequent explanation the member makes was intended to mislead or obfuscate the facts.

Having considered the Clerk's advice and the statement provided by Hon Nick Griffiths, I have concluded that the issue of culpability does not arise in this instance. Hon Nick Griffiths has acknowledged that the entry in *The Western Australian Bar Association (Inc) Bar Directory 1999* could be considered inappropriate and he took action to remedy the situation when it was drawn to his attention two years ago. It is my view that this matter, while involving an error on Hon Nick Griffiths' part which has caused some embarrassment, is minor in nature and does not warrant further investigation. Accordingly, I have reinstated Hon Nick Griffiths to his formal positions in the Parliament.

I conclude by again referring to the Clerk's letter in which he noted that the Commission on Government conceded that its examination of and recommendations on ethical standards, codes of conduct and means of defining and maintaining standards for elected officials was one of the most difficult issues it dealt with. I certainly concur with that view and believe this difficulty is compounded by the absence of a specifically appointed parliamentary body to deal with matters related to the conduct of parliamentarians. Therefore, I call upon all parties in the Parliament to expedite the recommendation of the Commission on Government to establish a standing committee of each House of Parliament to examine and report on issues of this type. I seek leave to lay on the table of the House this statement and letter for the balance of today's sitting.

[The paper was tabled for the information of members.]

[Questions without notice taken.]

KARRATHA AIRPORT FIRE SERVICE

Petition

Mr Riebeling presented the following petition bearing the signatures of 1 336 persons -

To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned residents call on the State Government to stop the closure of the fire service based at the Karratha Airport. We oppose any attempt to close such an essential service purely on economic basis without due consideration for safety.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 41.]

SOCCER AND RUGBY STADIUM

Petition

Mr Baker presented the following petition bearing the signatures of 32 persons -

To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned Soccer, Rugby Union and Rugby League football enthusiasts, fully support the State Government's decision to construct a dedicated soccer and rugby stadium as an integral component of the proposed Perth Convention and Exhibition Centre. We have waited far too long for such a facility and this delay has prejudiced the ongoing local and state development of our football codes in WA. Australian Rules Football has received unfair favouritism in WA for far too long and our football codes want a fair go!

We beseech you to IGNORE THE OPPOSITION TO THIS PROPOSED STADIUM and we remind you that sport is very important in the ongoing social development of children particularly in the area of self esteem, self respect, self discipline, team work, character development and citizenship.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 42.]

HIGH LEVEL NUCLEAR WASTE DUMP, PANGEA RESOURCES PROPOSAL

Petition

Ms McHale presented the following petition bearing the signatures of 68 persons -

To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned residents of Western Australia are totally opposed to the Pangea proposal to locate a high level nuclear waste dump in Western Australia.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners as in duty bound, will ever pray.

[See petition No 43.]

PUBLIC ASSETS, SALE

Petition

Mr Brown presented the following petition bearing the signatures of 10 persons -

To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned call on the Government to stop selling major public assets which belong to all Western Australians.

We believe that the Government does not have the moral right to sell major assets like AlintaGas without public approval. The Government did not seek a mandate at the last election to sell public assets for its own purposes.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 44.]

GENETICALLY MODIFIED FOOD, LABELLING

Petition

Mr Brown presented the following petition bearing the signatures of 72 persons -

To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned petitioners call on the State Government to support the proper labelling of genetically modified food so that consumers know exactly what they are purchasing.

We believe consumers are entitled to make a choice between purchasing natural and genetically modified food. That choice can only be provided by the law requiring genetically modified food to be labelled.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners as in duty bound will ever pray.

[See petition No 45.]

SEABROOKE AVENUE PUMP STATION, ROCKINGHAM*Petition*

Mr McGowan presented the following petition bearing the signatures of 58 persons -

To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned, wish to complain about the condition of the pump station on Seabrooke Avenue in Rockingham. This pump station is causing a great deal of discomfort to local residents because of the smell that is coming from it. In fact, the smell is at times so bad that people are made to feel sick and this problem needs to be rectified as soon as possible by the Water Corporation.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 46.]

DERBY-WEST KIMBERLEY TIDAL POWER*Matter of Public Interest*

THE DEPUTY SPEAKER (Mr Bloffwitch): Today I received a letter from the member for Belmont seeking to debate as a matter of public interest the following motion -

That this House deplores the Minister for Energy's constant undermining of the Derby-west Kimberley tidal power project and calls on the minister to -

- (1) add the project to the active list for consideration for supply of power to the west Kimberley; and
- (2) support approaches to the Commonwealth Government for financial support for the project.

If sufficient members agree to this motion, I will allow it.

[At least five members rose in their places.]

The DEPUTY SPEAKER: The matter shall proceed on the usual basis, with half an hour allocated to members on my left, half an hour to members on my right, and five minutes to the Independent members, should they seek the call.

MR RIPPER (Belmont - Deputy Leader of the Opposition) [2.56 pm]: I move the motion.

Many years ago I served on the Select Committee on Energy and the Processing of Resources chaired by the then Independent member of Parliament, Ian Thompson. I was very impressed with the possibilities for the development of tidal power in the Kimberley revealed in evidence to that committee. I have always regarded tidal power as a desirable and elegant form of energy production. Naturally no perfect forms of energy production exist; tradeoffs are involved in any of them.

One of the difficulties with tidal power is the cost of it. However, the advantages of tidal power are now even more apparent than they were when that select committee was conducting hearings. We are all more concerned about greenhouse gas emissions now than we were at that time. We are now considering the implementation of greenhouse gas emission limits by countries involved in the Kyoto discussions. A tidal power project can produce renewable energy without the CO₂ emissions that arise from fossil fuels in the generation of electricity. Indeed, the proponents of the tidal power project say their project will save 150 000 tonnes per annum of CO₂ emissions compared with the emissions from liquefied petroleum gas in the generation of electricity.

Mr Barnett: I think you mean liquid natural gas.

Mr RIPPER: I mean LPG because that is what the proponents say. They also say that they have not been able to develop an accurate comparison with LNG because they are unable to specify the amount of CO₂ that might be in the gases from a field.

Mr Barnett: Which is cleaner, LPG or LNG?

Mr RIPPER: The proponents might be able to come up with a different figure.

Mr Barnett: LNG is cleaner.

Mr RIPPER: The minister may be also able to come up with a different figure.

Mr Barnett: It is a well-known fact that it is cleaner.

Mr RIPPER: The figure differs from one LNG field to another because the amount of CO₂ mixed in with the gases is different. They further say that 145 000 tonnes of carbon dioxide emissions will be saved compared with diesel power, which is being used at the moment. That is one important advantage of the Derby tidal power project, and that advantage will become increasingly important as this State grapples with the policy implications of restrictions on greenhouse gas emissions developed as a result of international discussions.

I am well aware that there is considerable uncertainty about exactly what greenhouse gas emission regime will eventually

apply internationally, in Australia and in Western Australia. This issue involves a great deal of complexity and many policy questions are unanswered. Nevertheless, it seems likely that this State will be subjected to an overall limit on greenhouse gas emissions. Therefore, any project which saves us greenhouse gas emissions has, as a side effect, the potential enabling of other projects which might involve emissions of CO₂. In other words, a project such as the Derby tidal power project might make it easier for some other resources development project or some other industry to grow in Western Australia, given that we probably face in some form or another in the medium-term future an overall limit on the CO₂ gas emissions that can be produced in this State. The project reduces the power costs that are currently incurred by Western Power in Derby and in the west Kimberley. I would be interested to know what the comparison of power costs is between the rivals for the Derby tidal power project and the project itself. I understand that is subject to a tender process at the moment, and it will be interesting to hear what the minister says about that. However, we know that the tidal power project will produce cheaper power than the diesel power generation that these towns have at the moment.

Apart from those advantages, there are others. As a result of this project, we will get a transmission system and an electrical grid for the west Kimberley.

Mr Barnett: You see that as an advantage, do you?

Mr RIPPER: I do see that as an advantage, because it will be a spine for development. It will pass reasonably close to some remote communities and other potential resources projects. Therefore, in the future it might be possible for the Derby tidal power project to provide power to communities and projects which now rely, or potentially must rely, on their own stand-alone diesel generation. Therefore, it will be possible in the future to deliver power to some of these communities and projects as a result of the development at this time of a grid and a transmission system for the west Kimberley. There would also be other non-energy related advantages as a result of this project. The project would create a permanent lake adjacent to Derby, which would be useful for recreation. It would also be a suitable location for the development of aquaculture projects. This is a large construction project which would create in its building phase many jobs for Derby and the west Kimberley. Naturally, if we have a lake which is suitable for recreation, and we have aquaculture projects and one of the very few tidal power projects in the world, we will have a magnificent tourist attraction. Derby will get a construction project, a lake for recreation, a location for aquaculture, and a tourist attraction. Obviously if the project meets other criteria, it will be of great advantage to Derby and the west Kimberley because of the development prospects it will open up.

As I have said already, there is no perfect way of producing energy. There are always environmental or financial trade-offs. Questions have been raised about the environmental aspects of this project, and the Environmental Protection Authority was quite negative about this project in its environmental assessment. I believe that EPA assessment will be overturned on appeal, and I am sure my colleague the member for Maylands will say more about that matter. In my view, the EPA paid insufficient attention to the question of greenhouse gas emissions and far too much attention to the questions of mangrove growth and of the financial capacity of the proponents to manage environmental issues over the long-term. Most people in the north say that mangroves grow and regrow extremely vigorously. This project will shift the appropriate ecological location for mangroves, so some mangroves will die and others will regrow, but the proponents are firm in their assertion that this project will result in more mangroves than were in that area previously.

Mr Barnett: Are you discounting the EPA assessment? I want to understand where the Labor Party stands on the integrity of EPA assessments. You seem to place great store on the EPA's assessments of the forests.

Mr RIPPER: I have no hesitation in saying that I disagree with the EPA assessment and expect it to be overturned on appeal; and my colleague the member for Maylands may have something to say about that matter. I have drawn attention to those two aspects. On the question of mangrove regrowth, the EPA is wrong, and on the question of the financial capacity of the proponents to manage environmental issues over the long term, the EPA has gone outside its brief. It should not make that sort of assessment. It should stick more strictly to the environmental issues.

Another difficulty with tidal energy is that although cheap power can be obtained for a long period - 120 years - the upfront capital costs for construction are very high. The proponents have said that in order to meet the power price for which they have tendered, they will need \$120m of public money, which will not be a grant but will be repayable. It is worth saying to the minister and the public that the proponents are talking not about money from the State Government but about the possibility of money from the Federal Government.

Mr Osborne: It all comes out of the taxpayers' pockets.

Mr RIPPER: That is right, but if the Federal Government has money that it is required to spend on renewable energy, some of that money should be spent in Western Australia rather than outside this State. We know that money is available and that the Commonwealth Government is considering spending some of that money on this project, because my colleague Hon Tom Stephens, a member for Mining and Pastoral Region, has received a letter from Senator Nick Minchin, Minister for Industry, Science and Resources, which states -

The Government is already offering \$1 million towards the project through the Renewable Energy Commercialisation Program. Currently, consideration is being given to options for additional support for the project through existing Government programs.

I appreciate your interest in this project.

Yours sincerely

Nick Minchin

Has the Minister for Energy been talking to Senator Minchin about this matter and encouraging Senator Minchin to continue with that train of thought, or has he been throwing cold water on the project? I turn now to the minister's position, because from the point of view of people in Derby, Broome and throughout the west Kimberley, from the point of view of people interested in renewable energy, and from the point of view of people interested in tidal power, the minister's approach has been very disappointing. The Minister for Energy knows I am right. He has recently been to the west Kimberley and experienced first-hand the intensity of disappointment.

Mr Barnett: I did not notice the member for Belmont in the crowd.

Mr RIPPER: The minister put two projects onto the active list for consideration to supply power to the west Kimberley. The tidal power project is not on the active list; it has been placed on the so-called reserve list. As the tender process is continuing, the proponents cannot be debriefed on why the project is not on the active list. They are concerned that aspects of the project may have been seriously misunderstood. The minister has shown no enthusiasm for seeking federal funding for this project. The Opposition questioned the minister about this issue on 9 September. I quote his answer -

The Federal Government has not offered any assistance formally to the State Government.

The Leader of the Opposition interjected -

Have you approached it?

The minister replied -

No. Members opposite may also realise that no criteria have been released for this federal funding.

The minister later says -

There are no criteria, there is no process and there is no application form.

I will tell the minister that there is a process; it is called politics. One picks up the telephone and rings the federal minister, or writes a letter, or lobbies. That is what everyone else has done for this project.

Mr Barnett: That is what your Government did in the 1980s; there is no doubt about that.

Mr RIPPER: Everybody else is aware that federal money is available that could be spent in this State. They can see that there is a project with huge benefits for Derby and the west Kimberley. Other people have made approaches to see if federal funding can be made available to Western Australia.

Mr Barnett: Your Government had Laurie Connell, Brian Burke and Bob Hawke in a boat together.

Mr RIPPER: There is one person who is not making those approaches and that is the Minister for Energy. The project is in danger of being killed off. The minister's lack of enthusiasm will kill off any prospect of federal financial assistance. Has the minister, or his officers, spoken to the Prime Minister's major projects coordinator about this issue? If not, why not?

Mr Barnett: Is the member for Belmont talking about Bob Mansfield?

Mr RIPPER: Has the minister spoken to Bob Mansfield?

Mr Barnett: I am still waiting for him to get some runs on the board.

Mr RIPPER: That is a fine way to lobby an influential figure in the Federal Government. "I am still waiting for him to get some runs on the board". Is that what the minister says about the federal Minister for Industry, Science and Resources, Nick Minchin?

Mr Barnett: No, I will speak to Senator Minchin.

Mr RIPPER: I understand Minister Minchin is visiting Perth this week. Will the minister speak to him about this project? What will he say to him?

Mr Barnett: I will give Senator Minchin the courtesy of hearing what I am going to say first.

Mr RIPPER: I hope the minister will also advise this House on the attitude he takes to the Federal Government on this issue. In his answer during question time, the Minister for Energy not only made those comments about his attitude to federal funding, he also undermined the project. He made a number of very critical comments which could damage the project. I quote -

The proponents have talked publicly about Federal Government assistance of \$120m. Even the federal minister posed the question of where the other \$240m will come from. It is a big ask. Even if \$120m comes from the Commonwealth, which I doubt, where will the other \$240m come from?

The minister cast doubt on the financing of the project. It is a negative thing to cast doubt on a project's financing possibilities. The minister was irresponsible.

Mr Barnett: It is a pity the Opposition did not show some scrutiny in the 1980s. They would not have lost \$1.5b.

Mr RIPPER: The State Government had already been advised by the ANZ Investment Bank, in a letter to the Premier, that it considered the project financially sound. I quote -

We have a high level of interest in the project and we propose to structure, analyse and pursue credit approval for the financing of the bid. As currently proposed, we see this project as a high priority for the ANZ and the State of Western Australia.

The letter concludes -

ANZ Investment Bank looks forward to the opportunity of working in co-operation with the Western Australia Government to create a world-class Tidal Power Generation facility at Derby.

The minister knows where the money will come from because the bank involved in the project wrote to the Premier on 6 September in very positive terms. It is not right or responsible for the minister to say that he does not know where the money will come from. From this letter it appears that the most likely source of the money is the ANZ Bank.

The minister said other things that I believe were wrong. He talked about the alleged blowout in capital costs. I quote again -

The problem is that the estimated capital cost of construction was \$80m; it is now up to \$360m.

The proponents said there was never an estimate of \$80m. They say there was an estimate of \$125m for a different project. The minister again undermined the project when he said -

The project will also require a backup diesel power station to be built in every town in the area.

Of course, that is a requirement in the request for tender proposal put out by Western Power. The minister imposed that requirement.

Mr Barnett: People like it when they turn a switch and a light comes on.

Dr Gallop: Why doesn't the minister allow Wyndham to stay open?

Mr Barnett: Wyndham want a backup and we are giving them one.

Mr RIPPER: The proponents originally sought to use the existing generation facilities but the Western Power request required them to build new diesel generation facilities in each town. However, the minister undermined the project in a most significant area when he said -

Various estimates are that at times generation may be 45 per cent diesel and 55 per cent tidal.

The proponents deny that absolutely. They advised the Opposition that in the first year of operation nine per cent of the electricity generation will be from fossil fuels and in 2010 13.7 per cent will be generated from fossil fuels. The highest figure of fossil fuel generation the proponents have given us is 21.3 per cent in 2018. That is a long way from 45 per cent fossil fuel and 55 per cent tidal generation. I am sorry that the minister has taken this approach. He should have known better. Tidal Energy Australia wrote to the minister on 17 August and dealt with a number of these matters. The ANZ Bank wrote to the Premier and dealt with some of the matters. The Government has had the information about these matters but the minister still continues to undermine the project. Most fatally, he will not show any enthusiasm about approaches to the Federal Government for the financial assistance this project could have. That money is there to be spent on renewable energy. However, the money may not flow to the tidal energy project because the State Government will not give it the tick. Although I say "the State Government", plenty of government members do not agree with the minister.

I will quote from a letter from GHD to the member for Ningaloo. It is headed "Derby Tidal Power". The letter concludes-

Thank you for your public support on this exciting project.

I invite the member for Ningaloo to support the motion. If the member publicly supports the project, he should vote with the Opposition so that a message is sent to the Minister for Energy that this project deserves support.

The minister spoke a little about the projects of the past and the need for government scrutiny. I know he has the view that one should be careful about supporting private projects with public money. However, it is not a view that he has adopted consistently. The Government provided support totalling \$20m to the mid-west gas pipeline

Mr Barnett: You are wrong.

Mr RIPPER: Perhaps the minister will dispute the following -

It has been brought to our attention that the \$72 million Mid-West Gas Pipeline project received support of \$20 million from the West Australian Government. This represents approximately one third of the capital cost, and we further understand that this infrastructure contribution is to be fully repaid.

If this quote from Tidal Energy Australia is correct, it is a forerunner, an example, a precedent for the sort of assistance that it is seeking. The minister may respond as he wishes.

I conclude on this point: We can get this project, with all its advantages for Derby and the west Kimberley, if we are prepared to be enthusiastic in our approaches to the Federal Government to get a slice for Western Australia of the money that is already available. Rather than take that action, the minister is undermining the project! His undermining and lack of willingness to deal with the Federal Government on this matter will kill it.

DR EDWARDS (Maylands) [3.23 pm]: I will make a few comments about the environmental aspects of the motion. This exciting project would be the largest renewable energy project in Australia and it has grabbed the public's imagination. I

want to talk about the environmental assessment and the environmental factors that have been raised. The environmental process has been very protracted. It began in December 1996, went through 1997 and 1998, and a bulletin was released in 1999. What was considered is interesting. When the project was put up for environmental assessment, it was set at the level of a consultative environmental review. Nobody appealed that decision. When looking at the work undertaken, the issue of geo-heritage has been held up as a barrier. The issue was raised in April 1998. A workshop was convened by the Environmental Protection Authority and at that stage the Chairman of the EPA advised that whilst the mangroves were being considered, they were not a serious problem. We now find that mangroves are the number one issue that is holding up the project! In June 1998, the proponents, who were waiting for this project to be assessed by the EPA, asked the EPA to give interim advice so they could put in their submission, showcase their project and apply for a \$4m grant. However, they did not receive advice on time and lost the opportunity to be in the running for the \$4m grant. There are questions about why the process has taken so long. In July 1998, the EPA provided advice to the minister, which became public only when the bulletin was released approximately one year later. The recommendation to the minister then was that -

In a precautionary sense, the project should not proceed until the Government has decided upon the geo-heritage issue.

The Government looked at that. The Chairman of the Marine Parks and Reserves Authority looked at the geo-heritage issue. He reported that it was not a significant enough issue to justify reserve status in that area. In October last year, the Minister for the Environment wrote to the EPA and told it to conclude its assessment so that the company could get on and do its business.

Mr Barnett: Have you been to the site?

Dr EDWARDS: Yes, I have been to the site. I have walked through the site. I had the flu when I did so and I was extremely worried because the locals kept talking about crocodiles. I was so far from a vehicle that if a crocodile came out, I would have been history - there was no way that I could have run.

Getting back to the issue of the mangroves - water flowing through turbines will shift where the mangroves are. The best advice I have is that there will be more new mangroves rather than mangroves being lost. It is a great shame that the EPA has considered the greenhouse gas issues and used them to kill the project. Why does the EPA not consider greenhouse gas issues when it assesses other projects such as the Collie coal station and the Narrows Bridge extension? Greenhouse gas issues are being used in a strange way by the EPA, and it is most unsatisfactory. I urge all members to have a good look at this project and form their own view.

The Opposition will be extremely interested to see what the appeals convenor does with this. We urge the minister to use section 43 of the legislation to get the EPA to consider this issue again and get it to apply conditions so that the project can proceed in a properly managed way. Most projects can proceed if the proper environmental conditions are set. I ask the EPA to look again at what it has done, see whether its decision contains any bias, and let the project go ahead for the benefit of the State.

MR BARNETT (Cottesloe - Minister for Energy) [3.26 pm]: The Opposition's argument is a strange one, questioning as it does the competency of the EPA. I will not comment further on that; I will leave it to its due process.

I believe that the project is environmentally manageable. That would require a reversal of the EPA's decision and the setting of stringent management conditions. Whether it can meet those conditions remains to be seen.

Briefly the background to all of these issues is that the cost of generating power in regional Western Australia is way above the price at which it is sold to householders and businesses. The result is that Western Power, that is, the State - the taxpayer and other consumers - make losses of about \$40m a year. That has been ignored by successive governments. I am the first Energy minister who has been prepared to take on the issue of power supplies in regional Western Australia. I will stand on my record. The projects during my period as Minister for Energy, and Resources Development include the hydro scheme on the Ord River, which I negotiated under constant criticism.

Dr Gallop interjected.

Mr BARNETT: It was initiated by the people who built the dam with the tunnel for the hydro scheme back in the 1970's. The list includes the hydro scheme on the Ord River, the goldfields gas pipeline, a gas pipeline to Onslow with new power generation for Onslow, a gas pipeline through the mid west with new power generation for Mt Magnet and other towns, extension of a gas pipeline to Busselton, and new power stations at Leonora and Carnarvon. So the list goes on. There is still a lot to do. One of the areas of acute difficulty is the Kimberley area, including Broome, Derby, Fitzroy Crossing and the Aboriginal communities in the area. Broome alone has a population of 12 000 people. The cost of generating power totals approximately 25¢ a kilowatt hour. It is sold by Western Power for 12¢ to households and 16¢ to businesses. In Derby the cost of generation is 31¢ and yet it is sold at 12¢ and 16¢ respectively. As those towns grow, the losses grow. It is even more important than that. In towns like Broome, businesses will not invest in expansions, particularly for tourism, because of continuing blackouts and brownouts caused by antiquated power equipment that is unviable, and if the breakdown is severe, equipment that perhaps cannot be repaired. The business community of Broome and other communities have been telling me that the problem is that new power generation, spare capacity for growth and a reliable power supply are required. I am only one of many tourists who have been to Broome when a brownout has occurred.

There is no magic to it. It is not a matter of being carried away by one's heart but of using one's brain, looking at the issue and bringing down the cost of generation; that is the fundamental problem. I began a process of trying to get private sector investment in power generation around the State to sell power to Western Power which would on-sell it. Hopefully, that

would get us to a break-even situation; it would certainly get new investment and a reliable power supply with the capacity for expansion. The process began with expressions of interest in the mid west/Murchison area, in the west Kimberley and Esperance; that is continuing right now. Expressions of interest in the Kimberley area were advertised in October of last year - nearly 12 months ago. Fifteen organisations expressed an interest in that and 10 were initially short-listed as being credible. Those 10 organisations were invited under strict tender processes to submit details in a formal tender process. The organisations were given until the end of April to do that and six put in complying detailed tenders. An expert committee consisting of the Office of Energy and the Western Power Corporation was established and chaired by Dr Des Kelly, the former head of the Department of Resources Development. The engineer who built the port at Broome, did much of the construction at Wyndham and probably knows more about marine tidal/coastal conditions on the Kimberley and Pilbara coast than anyone in this State. If ever there was a person committed and devoted to development in the north, it would be Dr Des Kelly. Therefore, the chairman of the committee was a person predisposed to northern development and the type of project we are talking about.

The committee short-listed the tenderers. It looked at a range of criteria, including the cost of power generation - which is important - the environment, financial backing, financial and management capability and security of supply as well as transport and storage issues. It was a detailed brief. On the basis of that analysis, two tenderers were short-listed. They were two Western Australian companies: one was a consortium of Energy Equity Corporation and Woodside Energy Ltd; the other was Wesfarmers Energy-StateWest Power. Two Western Australian based companies were short-listed in a formal process - I would have thought that was something to be proud of.

It seems that the Opposition is saying we should abort a formal tender process. There was a formal process and the tidal energy project went into that process with its eyes and ears wide open on the same basis as everyone else. Fifteen starters and two grand finalists and yes, it missed out; it is true the tidal energy project went into the reserve category. However, it took part in the process like everyone else. It did not win the race and it is crying foul. Presumably it is trying to destroy the process using political, media and other lobbying techniques. I do not mind the project pursuing its commercial advantage but that is what it is doing. It is the Australian way - when one enters a competition, one accepts the umpire's decision.

Mr Ripper: So now they are un-Australian.

Several members interjected.

Mr BARNETT: It is an Australian tradition that if one enters a competition, one accepts the umpire's decision. Some of the proponents and supporters of this project will not accept the umpire's decision. That is what I have to deal with and I will tell the House how I intend to deal with it.

Mr Ripper: Have you read our motion? What we are saying is put them on the active list.

Mr BARNETT: I will return to that. I will first respond to some of the detail. Members on both sides of the House and in the other place have suggested that I have not supported this project. I will tell the House a little of the history of this project because it is worth noting. The tidal energy project had its genesis at the time of the previous Labor Government. Members may not be aware that the previous Labor Government gave the project \$30 000 worth of support for pre-feasibility work through the Minerals and Energy Research Institute of WA. I was the minister in 1995 and as the project continued, and I agreed for Western Power to enter into a memorandum of understanding with the tidal energy project, which gave it a further \$30 000 and all sorts of in-kind technical support from Western Power. The tidal energy project then had to confront a series of issues and the Department of Resources Development - my department, so I was involved - helped it with native title issues, assisted with its greenhouse measurement and argument, assisted it with the Department of Land Administration on land issues and worked with the project to get the Environmental Protection Authority to give an early assessment of environmental requirements. We also worked with the project on the geomorphology and the mangrove issues. All of those things were done by Western Power and the Department of Resources Development, agencies which report to me. I reject the assertion that I did not assist this project. I have done more for this project than any other project in the bidding process. If anyone had a complaint, it would be some of the other competitive bidders.

It did not stop there because I required the assessment criteria to include social impact, specifically for this project. All of the other indirect benefits were formally taken into account. I also agreed to the funding of independent economic and social impact studies. All of that was done specifically to accommodate the unique characteristics of this project. I also made it very clear to the assessment committee that the assessment being made by the EPA must be kept separate from the tender process. That was to the tidal project's advantage. Beyond that, I delayed the process for two months - it was my decision - because the tidal energy project was not yet ready to submit its proposal. All of those things were done over a number of years to assist this project. Members opposite should not come in here and say that I have not helped this project. I and the agencies reporting to me have done more for this project than for any of the other contenders in this process.

Mr Ripper: Minister, why won't you approach the Federal Government?

Mr BARNETT: I will get to every issue the Deputy Leader of the Opposition raised. Members talked about the tender process and an extraordinary suggestion was made. The Opposition is suggesting that having had a formal tender process, I should now intervene. The intervention suggested by the Opposition is that I now reject or change the response to the tender recommendations and elevate this project. I have two choices: I can abort the whole tender process - take it back to square one - or I can say to all proponents if there is to be a change in process, if there is to be access to commonwealth funds, then they will be available to all proponents. There is no other way of doing it. Are members opposite suggesting that a Government simply pick out a project and without any due diligence, without any competitive process or scrutiny,

simply hand over taxpayers' money? That is what members opposite seem to be suggesting. I will not be a party to that. I am prepared to assist this project but I will not be a party to improper, irresponsible use of taxpayers' money. This Government will not replicate the sort of behaviour which took place in the 1980s.

Mr Ripper: No-one is saying that.

Mr BARNETT: Yes, the Opposition is. It cannot be done any other way. If one wants to change the tender process, one abandons the process and returns to square one. One tells all the proponents that there may be commonwealth money, the rules have changed and we will restart the process again. However, the Labor Party wants to play with the process.

Mr Ripper: Are you saying that there would be federal money for a fossil fuel project?

Mr BARNETT: It is up to the Federal Government to set the criteria.

Mr Ripper: That is bizarre.

Mr BARNETT: No, it is not. I will talk about the issues, the financing and cost of the project. The first figure given to me about this project was \$80m.

Mr Kobelke: Who gave it to you?

Mr BARNETT: It was given to me in initial discussions between the project proponents and Western Power Corporation under the memorandum of understanding. The project has now changed, designs have changed and it has got bigger and bigger.

Mr Ripper: They wrote to you and said the project never had a capital cost of \$80m - they wrote to you in August.

Mr BARNETT: I am rejecting that. The first figure I was given on this project was \$80m.

Mr Kobelke: Were the figures ever on paper?

Mr BARNETT: They may well be. The figure I know is \$80m and it is the figure going back to 1995. The figure is now \$360m. It is a big ask to go from \$80m to \$360m. There are serious technical issues about the construction of this project. There are also serious technical issues about the reliability of power supply through 500 kilometres of high voltage transmission across a place with the environmental and climatic conditions of the Kimberley. All of the Derby community will benefit. Yesterday in Broome I told 80 business people, who were supportive of the project but who had lots of questions I sought to answer - I will tell members here the same thing - that I could not look them in the face as Minister for Energy and say that this project can deliver a reliable power supply to Broome. On all of the technical, scientific and engineering advice I have been given, I cannot guarantee that. The community at risk is the one in Broome, at the end of a 200-plus kilometre transmission system.

Mr Kobelke: The alternative has no risk.

Mr BARNETT: The alternatives involve proven technology, with no mystery at all. This technology, is exciting and renewable, but developmental. We even have problems with the transmission lines in Kununurra and the south west of the State and with the one to Kalgoorlie, which are in far more benign conditions than those which apply in the Kimberley. Tidal energy is developmental in this environment. There are two tidal plants in the world: One is in France, which was built in the 1960s, and the other is in Nova Scotia which was built in the early 1980s - only two. The distinguishing feature of these plants is that they feed into established grid systems. That is fine. The difference in the Kimberley is that the proposed tidal station is the base of the system. Tidal power has economic, technical and reliability risks which are alluded to in the scientific and engineering assessment. It is not my judgment. If we had an established grid or a system of power stations, it would be a relatively straightforward process to incorporate tidal power. I cannot look the members of the community of Broome - which has over 12 000 people, with hospitals and schools and elderly people, and is 200 kilometres away from the power station - in the face and say that, under those conditions, I can guarantee a reliable power supply from a tidal scheme which is unproved.

Let us look at some of the other issues. The proposal is for a tidal-diesel plant. The diesel use, at best, will be 10 per cent; at worst, it will be far greater than that.

Mr Ripper: They say LPG.

Mr BARNETT: No. The proposal in the submission to the committee was based on diesel.

Mr Thomas interjected.

Mr BARNETT: Yes. It may be dual fuel, but there are risks in that. There are risks in the price of diesel. Members may not be aware that in the past two years the price of diesel has gone from \$19 dollars a barrel to \$30 a barrel. The price of liquefied petroleum gas is all over the place and has soared in recent weeks. There are huge risks when we have significant backup based on diesel. It is proposed to put in one turbine. Additional demand after that is to be met by incremental diesel capacity which will build up before the second turbine is put in. There is significant use of diesel, but I do not dismiss the project for that reason.

There are many other issues, and I will mention commonwealth funding. Yes, we have the so-called Meg Lees-John Howard talk about funding: \$100m under one scheme and \$66m a year under another scheme for four years, presumably. There are no criteria and there is no application form or set of rules for this. It has not been put in place, but I imagine it will be soon. It is not in place now.

One criterion for all proponents was to present and confirm financial viability. This tenderer submitted a proposal indicating that financial viability included \$125m from the Commonwealth or the State. It is up to the proponents to secure that. It is not up to the State to secure finance for any one of the proponents. I have discussed this with Senator Nick Minchin, and I hope to have further discussions with him tomorrow. Lots of promises have been made about the commonwealth money. This is the only thing the Commonwealth has done: It has offered \$1m if a contract is secured. We do not know anything about the terms or conditions. There is a long way to go. There is also the issue of \$120m of taxpayers' money, wherever it might come from, as well as the Australia and New Zealand Banking Group Limited finance for debt, the equity funding of the project and the ability to sustain a project and perform long term.

Any project in the energy industry can be financed, depending on the take or pay contract of Western Power Corporation. That adds a whole new dimension to the negotiations. These groups must demonstrate their capability to do that. A whole host of issues arise in this matter which explain why this tenderer was not selected to be in the first two. I like tidal power, hydropower and solar power; we all do. However, to justify a tidal power station we must do a little better than its merely being on the basis of building a big lake for tourism, growing fish, regrowing mangroves or that it is just a nice thing for Derby. The whole purpose of this exercise is to bring new, reliable, expanded power generation capacity into the Kimberley. The tidal-power station cannot necessarily do that.

The proponents of the project might do better if they rethink the logic. They mounted a very aggressive campaign after the umpire made a decision, one that has degenerated to the level of having school children in television commercials attacking me as the Minister for Energy who also happens to be Minister for Education. I think that is deplorable and I have told them that, and I will tell them again. I am used to that.

Mr Ripper: Oh, poor leader. We will take over if it is too tough!

Mr BARNETT: - however, I will not play Russian roulette with the taxpayers' money in this State and that going to the Commonwealth. This project can do -

Mr Ripper: The minister has just killed the project.

Mr BARNETT: I have not. It is up to the proponents to have a commercial, money-making venture to get the project together. There are some options.

Mr Ripper: If the minister told the Federal Government that he supported the project, it would help them. The Commonwealth does not want to give the money if the State Government does not support it.

Mr BARNETT: The Commonwealth Government has not asked for that. As I said, I will be speaking to Senator Nick Minchin tomorrow and I will try to find out the attitude of the Commonwealth.

Mr Ripper: They will be trying to find out what your attitude is.

Mr BARNETT: No. It is up to each proponent in a competitive tender process. I remind all members what the 1980s were all about. They were about the Government picking winners and allocating taxpayers' money without any competitive process or scrutiny. Because members opposite like tidal power - I like it, too - they are telling me to interfere with the competitive tender process. If tidal power is to have its day, my only option is to abandon the competitive process and start again. I will not interfere with the competitive process. Alternatively, we can allow the competitive tender process to go to fruition, select a preferred developer and then see whether a tidal power project can and should be developed. In a sense, and I do not mean this in a disparaging way, it is unproven on the Kimberley coast. There are only two tidal power plants in the world neither of which is operating in conditions anything like those on the tropical coast of the Kimberley. We can then look at whether a smaller scale, developmental project can be built. On economic criteria or even environmental criteria, or if we look at how we can best spend \$120m, this project does not get past the finishing line.

Let us recognise it as a significant greenhouse, environmental, renewable energy project, a research and development project, perhaps worth pursuing at a national level, and realise, in the words of the proponents, that it is pioneer technology. If we want to expend taxpayers' money, let us do it on that basis. Surely this Parliament has more credibility than to put the whole west Kimberley into an experimental basket. We have a responsibility to ensure the reliability of the power supply to people in that area. If we want to, yes, let us have a developmental project and trial tidal power on a modest scale. The west Kimberley would not have power supplies until 2003. On the advice of people of the calibre of Dr Des Kelly, I cannot look the people in the Kimberley in the face and tell them that this will deliver a reliable power supply. If those opposite are honest, they cannot either.

MR MINSON (Greenough) [3.49 pm]: I would like to make a contribution to this debate as I have had a considerable interest in energy matters for some time. On the face of it, a tidal power station on one of the tidal creeks in the Kimberley would seem to be an extremely good and attractive idea and, particularly given the work done by Hon Ian Thompson, a project about which one could become excited. If I were a member representing the Kimberley, I would also be keen to have an extra \$120m of taxpayers' money poured into my area. I do not make a judgment about the motive of members who support their particular electorates. However, members of this House must ask themselves at least three questions in a responsible way.

First, if we have a finite basket of money from which we pull \$120m, what will members sacrifice to provide that \$120m? I happen to come from an area of the State that is starting to feel the pinch a little. Those people who have been to Geraldton will know what I am talking about. When one walks down the main street one sees "for lease" signs all the way down the street in shops that have been full since I was a boy. It is in an area in which the community wants a deep water port, a steel industry and a whole range of other things using technology that has been proved will work. We must ask ourselves whether

we are prepared to put money into this tidal power station project, to support the midwest project or to support something else in this State. In other words, let us decide what we will sacrifice to support this project. That is one question that we must ask of ourselves; we cannot not ask it of ourselves.

The next question is: What is the best use of the money? Along with most other members of Parliament, I continually receive letters from people about matters of health, waiting lists and so on. Are those the best areas in which to use our money?

The third question is: What renewable energy source could be better developed with this money? Instead of someone in a normal tender process suggesting a tidal power station project to supply power to the Kimberley, I would much rather see the State and Commonwealth Governments getting together, acknowledging that we have great resources in this country in high tidal rises and huge quantities of sunlight and wind, and calling for expressions of interest to develop experimental technology. That is the way in which we might progress this particular matter.

I direct the attention of members to the views of Professor David Mills from Sydney University who spoke at a breakfast organised some years ago by Hon Mal Bryce. Professor Mills outlined a project for the harnessing of solar power which, to all intents and purposes, would overcome the problem of continuity of supply of energy. At the time of that breakfast, held at Technology Park in Bentley in about 1990, the professor claimed that, on the figures he had produced, that energy from that large scale, totally renewable power plant could be harnessed at 5.6¢ a unit. That is the kind of project that we should be considering, instead of deciding that just because someone has put up his hand and used the word "tidal" we will pour \$120m into that tidal power project.

What harm will we do ourselves if we support this project? By that I mean that someone will have to continually subsidise the project and that, presumably, that "someone" will be Western Power customers. If we add 1¢ per kilowatt hour to the power bill of every Western Australian industry we will put a considerable percentage of them out of business or stop them from developing a business; certainly we will put a large number of them into a category of businesses that will not be internationally competitive.

I cannot support this motion; it is silly. However, I do support the State and Commonwealth Governments getting together to try to develop renewable energy in a meaningful way. This project is not the way to do it; there is a better way to do it. The behaviour of the Federal Government in this matter has been silly; for it to offer \$1m knowing full well that the bill will be hundreds of millions of dollars was opportunistic and silly. I therefore cannot support the motion.

MR BOARD (Murdoch - Minister for Works) [3.54 pm]: I oppose the motion. I cannot understand why the Opposition would bring forward, as a matter of public interest on the first sitting day of this week, a motion that reads -

That this House deplores the Minister for Energy's constant undermining of the Derby-west Kimberley tidal power project . . .

My experience since I have been a minister is that the Minister for Energy has tried, if anything, to work up and support this project.

I wish to talk about the way in which the Government must maintain the propriety of the tender process that it started. The Minister for Energy mentioned that Dr Des Kelly, who ran the independent committee, has narrowed down the compliant tenderers for the project from six to two. If anybody has a reputation for fairness and openness, and who would have made every endeavour to ensure there was a level playing field for the project, it would be Dr Kelly.

I support the comments made by the member for Greenough that the project is viable in that it needs to be supported at the experimental stage. The fact that Western Australia has a great deal of opportunity for harnessing renewable energy is an important process for us to follow. However, it is not right to throw away taxpayers' money at this stage of the project. The Opposition condemns the Government every day for not putting enough money into health, education, and law and order; yet today it wants to condemn us for not throwing away taxpayers' money on an experimental project. The Government must maintain its propriety in the tendering process. It is an important process that has been followed well. The fact that the project is on the reserve list is a credit to the minister.

Question put and a division taken with the following result -

Ayes (17)

Mr Brown	Mr Grill	Mr McGowan	Mr Thomas
Mr Carpenter	Mr Kobelke	Ms McHale	Ms Warnock
Dr Edwards	Ms MacTiernan	Mr Riebeling	Mr Cunningham (<i>Teller</i>)
Dr Gallop	Mr Marlborough	Mr Ripper	
Mr Graham	Mr McGinty		

Noes (31)

Mr Baker	Mr Cowan	Mr Marshall	Mr Prince
Mr Barnett	Mr Day	Mr Masters	Mr Shave
Mr Barron-Sullivan	Mrs Edwardes	Mr McNee	Mr Trenorden
Mr Bloffwitch	Dr Hames	Mr Minson	Mr Tubby
Mr Board	Mrs Holmes	Mr Nicholls	Mrs van de Klashorst
Mr Bradshaw	Mr House	Mr Omodei	Mr Wiese
Dr Constable	Mr Johnson	Mrs Parker	Mr Osborne (<i>Teller</i>)
Mr Court	Mr MacLean	Mr Pental	

Pairs

Ms Anwyl
Mrs RobertsMr Kierath
Mr Sweetman

Question thus negatived.

WORKERS' COMPENSATION AND REHABILITATION AMENDMENT BILL (No. 2) 1999*Second Reading***MRS EDWARDES** (Kingsley - Minister for Labour Relations) [4.02 pm]: I move -

That the Bill be now read a second time.

This Bill will provide for an extension for injured workers to seek redemption of future entitlements where they have a permanent disability. This reflects the recommendation of the Pearson review of the workers compensation system, and provides that where an injured worker and his or her employer agree upon redemption, this agreement can be registered by the Director of Conciliation and Review. This will enable workers with a residual disability to receive a lump sum in lieu of ongoing small payments. For the information of members I table an explanatory memorandum on the Bill. I commend the Bill to the House.

[See paper No 138.]

Debate adjourned, on motion by Mr Kobelke.

ACTS AMENDMENT (FIXED ODDS BETTING) BILL 1999*Second Reading*

Resumed from 19 August.

MS WARNOCK (Perth) [4.03 pm]: I will speak briefly on the Acts Amendment (Fixed Odds Betting) Bill and the Totalisator Agency Board Betting Tax Amendment Bill which, I understand, we will deal with in a cognate manner.

The face of gambling has changed dramatically in Australia in recent years, though I dare say the fondness of Australians for wagering on almost anything remains a constant. Nonetheless, the facts about gambling and the opportunities that are offered in gambling have changed a great deal. Those who have been around the gambling industry for some time will recall that 30 years ago it involved gambling on horses and then on greyhounds, as well as illegal gambling on various other forms of betting, including card games. However, in recent years a great many things changed. Poker machines were introduced in other parts of Australia, and in various parts of Australia casinos were opened.

At the end of the 1980s the development of the Burswood International Resort Casino in Western Australia had a strong impact on revenues to other forms of gambling. To some extent the effect of that big change in our gambling habits still lingers. Many Western Australians shifted their gambling interests to the casino and its various attractions as a place of entertainment. The problems encountered by thoroughbred racing, trotting and greyhound racing were partly the result of that change. I remember very well that the fortunes of the racing station 6PR, as it was then, where I worked at the time, were affected by it. Likewise, the fortunes of bookmakers have been affected by these changes in the gambling habits of Australians. For example, bookmakers in this State have been dramatically affected by it to the extent that their numbers have fallen from around 100 to fewer than 60 in less than 10 years. People's gambling habits, the way in which they gamble, and what they gamble on have changed in Australia, and certainly in Western Australia in recent years. Other factors such as electronic gambling and the privatisation of the Totalisator Agency Board in other States such as New South Wales and Victoria have entered the picture.

The two Bills that we will discuss today are aimed, among several different things, at improving the prospects of the TAB in Western Australia. The Bills aim to do this by allowing the TAB in Western Australia to conduct fixed-odds betting, to accept electronic and other commercially acceptable forms of payment for a bet, to supplement dividend pools and to validate a dividend declared by the TAB where a bet that should not have been accepted is included in a betting pool where the outcome of a race or sporting event is later disputed. The most important aspect of the Bill is the first mentioned point that we should allow the TAB to conduct fixed- odds betting, and, secondly, to accept electronic and other commercially acceptable forms of payment for a bet. I will speak briefly about the second matter before I discuss fixed-odds betting.

The second matter refers to being able to pay at the TAB using one's EFTPOS card. One of the problems that TABs have at the moment is that they are obliged to deal in cash. Retaining lot of cash around the premises makes them a magnet for thieves. Since everyone else in the world uses their cards for most forms of money transactions these days it seems a sensible thing to allow the TAB to do that as well. I will explain the aspects of fixed-odds betting to those who may never even have had a bet on the Melbourne Cup. Fixed-odds betting is the kind offered by bookmakers where a punter knows what the win will be - if it is to be a win - at the time of making the bet. The TAB's operation to this date has been of another kind altogether based on a totalisator system where a set amount of commission is deducted from each bet and the remaining pool is divided among winning bets. In effect, one finds out after the event what it is one has won. Many punters prefer to bet at fixed odds where the amount of dividend is known at the time of the bet. That is the reason for proposing to make this change. The main thrust of this Bill is to allow the Western Australian TAB to be more competitive, particularly in sports betting.

There is a growing presence of bookmakers in the Northern Territory. The Northern Territory reduced its tax rates dramatically, which has attracted some large operators. The Northern Territory is a big competitor for everybody in the gambling industry. It was because of this that last year we made some small adjustments to a levy in Western Australia to give bookmakers in Western Australia the opportunity to be more competitive with those in the Northern Territory. We propose to do the same for the Western Australian TAB.

Incidentally, despite the fact that the number of bookies has fallen in Western Australia, their turnover increased by 3 per cent in the last year. According to my source, it is still a strong ring despite the reduced number of practitioners. The two privatised TABs are being extremely aggressive in their marketing, including that for fixed-odds betting. The Western Australian Minister for Racing and Gaming has made it obvious that he has no intention of privatising our TAB, so something had to be done. The Northern Territory bookies are proving to be an attraction, and it will be an advantage to Western Australia to persuade punters to spend their money here rather than betting through interstate outlets. Whatever one thinks about betting and gambling in general, the State makes considerable income from gambling. Those of us who want to see gambling revenue stay in Western Australia - even if we are not gamblers ourselves - must applaud this move.

The TABs of Queensland and Tasmania have apparently announced that they will join the Victorian TABCORP fixed-odds betting service, which is called something like "National Sports Bet". The State must seriously think about the advantages to be gained from these Bills. Sports betting is a fast growing, but still small, sector of the gambling field in Australia. It mainly applies to Australian Football League games and some athletic events, although I understand that soccer will be its next growth area. Racing is the largest part of the wagering market - I emphasise that term - and is regarded by people in the field as a mature gambling market; that is, not much growth is expected. Therefore, it is important for Western Australia to put itself at the forefront of this gambling opportunity and to assist the TAB to continue its successful recent growth. We should maximise the income to the State from existing modes of gambling, particularly as neither the Government nor the Opposition in this State has any intention of further expanding gambling opportunities through the introduction of so-called pokies in hotels and clubs.

The changes to be implemented through these two Bills will offer a better service to the existing customers of the TAB, who will have better opportunities to win, although the cynics may say also to lose.

Mr Cunningham: That is more likely.

Ms WARNOCK: Let us always be optimistic in this life, member for Girrawheen!

Several small changes are outlined in the Bill, about which members opposite or my colleagues on this side may wish to speak. One interesting change relates to credit betting, which I understand is presently illegal through the TAB; however, this Bill seeks to create a dedicated offence for credit betting by an officer, agent or employee of an agent of the TAB. This good idea will make it clear that credit betting is not approved of. Under present law, I understand it is somewhat difficult to prove this offence. The Bill will create the offence and, unless I misunderstand the provision, make it easier to prove that offence. With those few remarks, I hope that these Bills will improve opportunities for the Western Australian Totalisator Agency Board.

MR MARSHALL (Dawesville - Parliamentary Secretary) [4.15 pm]: I support the Acts Amendment (Fixed Odds Betting) Bill 1999 in conjunction with the Totalisator Agency Board Betting Tax Amendment Bill 1999. The principal changes proposed in the Bills are that the Totalisator Agency Board of Western Australia will be authorised to conduct fixed-odd betting on horse and greyhound racing and other events, including sporting events; electronic and other commercially acceptable forms of payment for a bet will be permitted; and betting pools will be able to be supplemented with funds reserved for that purpose.

The TAB in Western Australia is currently restricted to the conduct of totalised betting; that is, a standard rate of commission is deducted from the betting pool, the remainder of which is divided evenly among winning bets. Therefore, this winning dividend is not known until the event is completed.

Australians are generally known to be punters. People will say that they are gamblers, but they simply like to have a punt. One must determine the difference between gambling and punting. One can head down to the local TAB and find various people from the community enjoying a bit of fun. They are not overextending themselves. They have a dollar each way, a dollar straight and dollar on a place, or they play the fun bets and try to win a trifecta. They set themselves a limit of \$10 or \$15, whatever is within their means, to bet. Such people keep the TAB going, but they are not getting a fair go: A punter may have a bet five minutes after betting for the race in question is declared open. This person sees odds of 5/1 on the TAB television screen, and he places \$1 for a win and \$1 for a place. Everyone knows that such a bet requires odds of 4/1 plus to have a chance of receiving money back if the horse runs a place. The punter thinks he is investing wisely. However, the big money comes in during the last three or four minutes before the race. The bookmakers lay off, and the professional punter sits back and says, "It is now odds of 2/1 on the screen, which is good value for a certainty." He places \$200 to \$500 each way. The little punter, who thinks he has odds of 5/1, suddenly finds on the digital returns screen that his bet may be down to odds-on. Those odds suit the big punter, who knows the horse has more than an excellent chance of winning. If one invests money in the bank today, one is lucky to receive a return of 5 per cent. If a punter who is in the know invests \$1 000 on a near certainty at even money, it is a 100 per cent return on his money in five minutes. That cannot be beaten. Suddenly, the poor community punter, who is out for some fun, will receive a dividend for his \$2 - that is, \$1 each way - of \$2.40. He will consider it to be fun as he backed a winner, but he will get nothing from it. That happens with the TAB.

Mr Cowan: When did you last put a dollar on a horse?

Mr MARSHALL: I refer to the average punter and the difference between punting and gambling. I rarely have a bet when

I go to the casino. I might go to lose \$20, like the average punter, and I am finished if I place it all on red at the roulette wheel and lose it. I am not a gambler. However, if my horse is racing the sixth race of its preparation, it has drawn well and is doing well on the track, I might have a wager of a little more than a dollar. However, I would have it with the bookmaker. I rarely bet on the Totalisator Agency Board because one must bet at fixed odds. When people place bets with bookmakers, the winning dividend is determined at the time the bet is placed, so people know what their bet is all about. Bookmakers also give people the excitement of dealing not with a machine but with a personality. Some bookmakers write a ticket, give a wink and give a point over the odds, and as they take the money they are thinking to themselves that they will get that sucker's money. I am the son of a bookmaker. My father used to say, "Never, ever bet. I am putting you through college because of the mugs who bet. Don't bet." Therefore, I know how the betting game works.

Mr Marlborough: You took no notice of your father on that occasion, obviously.

Mr MARSHALL: I am a red-blooded Aussie who likes a bit of a fling and a bit of fun. Those people from the community who are at the TAB are the ones whose adrenalin starts to run with \$1 each way. However, they are not getting a fair go. Fixed odds will give these people a chance to enjoy a substantial bet getting home.

Many TABs around Australia are now introducing fixed odds as part of their service, and the Western Australian TAB wants to introduce the same thing. The TAB will concentrate on developing fixed-odds betting not only for racing, trotting and special greyhound races, but also it will develop a fixed-odds sports betting facility, similar to the old starting price bookmaker days. In those days, punters went to a corner SP bookmaker and they got the odds that were determined on the course. They placed their bets at the lowest odds. These SP people were drycleaners and greengrocers, etc. However, all that money finished with a couple of the big players in the SP bookmakers' game, and it was illegal, of course. Now all our money is going to Darwin in the Northern Territory, and the people there are sitting back and laughing. They are asking how long this has been going on, because all the lay-off money and other money eventually feeds back into the biggest pool in the Northern Territory. We will change all that, and Western Australia will catch up with the field when we have this fixed-odds sports betting facility. Initially, the WA TAB intends to form an alliance with TABCORP Holdings Limited in Victoria to enable it to participate in TABCORP's national TAB Sportsbet product. The WA TAB will not have a large turnover initially, so it will need to form an alliance with a body with a bigger turnover. This is similar to a person who has a small amount of money to invest in shares and whose money is pooled with the money of others and then invested in a large entity. There is then less chance of losing. One cannot blame the TAB for wanting to do that.

The TAB estimates that the fixed-odds betting turnover will be about 5 per cent of the total turnover after five years. To give an example of turnover, in 1997-98, gambling on races showed a gross figure of \$8.9m, with a breakup of \$6.9m through bookmakers and \$2m through the TAB. Why would one not bet through the bookmakers when one knows how the bet is being financed? The TAB's fixed-odds betting should alter this ratio of investment, and it will be good for everyone.

Incidentally, on the sports side of the betting turnover, the figures in 1998-99 showed that in Western Australia the turnover was \$2.87m. That has grown. People are just realising that they can bet on other sports. For instance, football betting was up by 28 per cent this year. That is the core of the sports betting and involves about 80 per cent of that \$2.87m. Cricket betting was up 235 per cent, with a turnover of \$122 000 in Western Australia. That does not sound much, but when one reads articles in the newspaper about the fiddles in Pakistan and India, as well as in the New Zealand and English test match recently, one can understand that around the world sports betting is extremely big. It shows how much money is bet on cricket when human beings are asked to pull up, one might say.

Soccer has become the second most popular betting sport, generating a turnover of \$191 000 last year. It might be of interest to members to know that last year the turnover for golf was \$26 000. Even though only a stroke separates, say, the top 20 golfers in the world, an avid golf follower can generally pick the winner and those who will finish in the first three. The same applies to tennis. I am surprised that the turnover for tennis last year was only \$10 000. Some friends of mine go to England and they bet \$10 000 on every round of Wimbledon. Therefore, there is a big opening for people involved in tennis in Western Australia to bet more on the Australian Open, because it has been under-marketed. I am not trying to encourage people to bet, and I am not trying to be a big shot, but everyone could have picked the US Open result. Andre Agassi was a moral to win. If someone had picked him at the start, he was 3:1. Admittedly, he finished odds-on when two other players, Patrick Rafter and Pete Sampras, had to pull out of the tournament. However, Agassi was always a moral to win.

Mr Bloffwitch: If he were a moral, how did you feel when he lost the first two sets?

Mr MARSHALL: Very confident, because Agassi, who is a brilliant player, was playing Todd Martin, who is a plodder. A lightweight was playing a heavyweight, and everyone knew that the heavyweight would run out of gas on the turn.

There was a \$40 000 turnover in motor racing. Basketball is improving all the time, and last year \$22 000 was spent on sports betting in that field. In view of the lower margins for fixed-odds betting, the rate of tax payable by the TAB will match that applied to bookmakers, which is 2 per cent of their turnover on fixed-odds race betting and 0.5 per cent on fixed-odds sports betting.

Dealing with the social impact, a TAB independent assessment concluded that the availability of a new gambling product would result in benefits to those members of the community who elect to make responsible use of the product - I emphasise the words "responsible use of the product" - and that the introduction of fixed-odds betting by the TAB was unlikely to give rise to an increased incidence of problem gambling. This was the view expressed by the BreakEven counselling service. Therefore, everything is looking good from the social impact point of view.

The introduction of fixed-odds betting by the TAB is supported by the TAB's major competitors in Western Australia. I refer to the licensed bookmakers, through the WA Bookmakers Association, and the Burswood International Resort Casino.

Earlier I made mention of the bet payment options. Currently, the TAB is constrained from accepting payment for a bet in any form other than notes or coins. This restriction prevents the TAB from accepting cheques or utilising new payment technology, such as smart cards, EFTPOS, etc. This places the TAB at a competitive disadvantage by limiting its ability to satisfy the demands of its customers for new services and products. In addition, the restriction means that TAB agencies must carry large amounts of money. This creates a high security risk, and the TAB agencies are targets of crime. The Bill removes this restriction by allowing other methods of payment to be prescribed. The change will not impact on existing provisions that prevent the TAB from conducting credit betting. Telephone betting has become an important part of punting in Western Australia.

I agree with the recommendation to supplement betting pools. The TAB does not currently have the power to supplement betting pools with additional funds. In some instances, when there is no winning bet in an event, the dividend pool is jackpotted to the next similar event. This provides the TAB with a valuable marketing tool and stimulates betting turnover. However, jackpots occur rarely. The ability to supplement dividend pools from funds will allow the TAB to regularly market guaranteed pool sizes, and once again the punter has a better chance.

An important clause in this Bill relates to dividend validation. This removes any uncertainty in the declaration of dividends. Another worthwhile change is a clause establishing a dedicated offence provision against credit betting by an officer, agent or employee of an agent of the TAB. Once again, this is a worthwhile amendment.

Although bookmakers are part of the magic of racing, the number of licensed bookmakers in Western Australia has decreased from 102 to around 55 during the past 10 years. There is only a handful of bookmakers at some metropolitan trotting meetings and at country meetings of the racing and trotting codes. Some greyhound meetings cannot attract the services of a bookmaker. A TAB offering fixed odds would supplement the declining bookmaker numbers. I would be very sorry to see the bookmakers disappear.

Another supporting factor for those amendments is when all the tax obligations and expenses connected with fixed-odds transactions are deducted, the profits will be distributed to racing codes under the current formula. Profits from fixed-odds sports betting will go into the TAB sports betting account and will benefit sports in Western Australia. The Minister for Sport and Recreation, Hon Norman Moore, is responsible for the distribution of these funds.

In summary, TAB fixed-odds betting will allow punters to bet more positively, to use electronic transactions and to always have a declared dividend. As a person who has been involved in racing for over 50 years, I compliment the people who have brought these amendments to the House. I wholeheartedly support the Bill.

MR TRENORDEN (Avon) [4.30 pm]: Much of what needs to be said about this Bill has already been said, but I wish to make a couple of points. I support the Bill but I tell the member for Dawesville that on the one occasion I went to the TAB to have a bet on sports other than the standard racing codes, I decided that the winner of the last British Open was likely to be someone we did not know. To contrast what the member said, I decided that whoever won the British Open, it was not likely to be a person in the top 20 or 30 players and I put my money on on that basis. I do not know if members remember the fantastic drama of the British Open, but I stayed up to 4.00 am to watch the unfortunate Frenchman fall to pieces and, lo and behold, I had the winner. I had picked "other" and it paid all of 20¢; obviously most of the other people who went to the TAB held the same belief that the top 20 would not win in those circumstances. I think that bet cost me \$6. I am passionate about golf, I love it and I think the British Open is the premier golf event. For me, the bet added a bit of interest to watching the British Open.

Fixed-odds betting was introduced to the South Australian TAB some years ago at a time when it was popular to try to squeeze the bookmakers out of the industry. It was unsuccessful and members will find that there will be limited use of fixed-odds betting in racing codes for some of the reasons previously outlined. It will be able to be done only with the very big pools. The Melbourne Cup and some of the major races may be able to have some aspects of fixed-odds betting. However, it is a tool which needs to be added to the TAB process, because the betting scene is changing quickly. There also needs to be some recognition - as the member for Dawesville said - that in this changing world of the Internet and other gambling options on the same racing codes and sports betting, the TAB is taking between 17 and 22.5 per cent out of every bet and the opposition, the Internet people, would be happy to take 5 to 6 per cent. The TAB system - whether one is talking about the very successful two privatised codes or our own - is under pressure. There are professional punters who want to bet and some people in the Western Australian system bet \$1m a year. If one does that here, \$170 000 of that \$1m is taken out of the process before one gets into the bet and a major punter needs to consider an alternative which can offer that service for \$50 000 or \$60 000. The whole racing and TAB scene is under very substantial threat and that threat should not be underestimated.

If members look at the names of the people becoming involved in Internet betting, they will find that they are the famous names of the world. They are people who have been successfully picking growth industries for 20, 30 and 40 years. The fact that those famous entrepreneurs have locked on to the gambling industry is a sure indication that the pressure will be placed on all TABs, including the two privatised groups. Therefore, the growth the opposition spokesperson mentioned cannot be guaranteed. One of the sad things is that both the Western Australian Turf Club and the Western Australian Trotting Association have already spent that growth. If the 3 per cent the member talked about did not occur next year, the Turf Club and the Trotting Association would be at the Government's back saying how terrible it was that they did not get the money they anticipated, because it is basically an irresponsible group of people, and I have said that here. It is unbelievable that the history of the Western Australian Turf Club and the Western Australian Trotting Association is that they will run their industry to the full expectation of the anticipated payout of the TAB, just like people in industry doing best and worst option budgets and budgeting to the best possible outcome. It is not a logical way to run the industry and

there will be a downturn in the growth of the TAB. That is as certain as the sun coming up tomorrow morning. When it happens, the Turf Club and the Trotting Association will be back at us screaming about their outcomes.

The problems with the industry are not government oriented but industry oriented. Over decades they have allowed the TAB and its revenue to be the absolute in the industry. They have forgotten until recent times that the growth cannot be guaranteed. I commend both codes for attempting to get people back on course and participating in the industry. It is appropriate that we change the options within the TAB to allow the codes to raise money. However, the point the member for Dawesville made about who gets the revenue from the sports betting is important. The Government made the decision some years ago that the racing codes - the dogs and horses - would not get the revenue from sports. Soccer needs a home in Western Australia and the truth is that 15 000 supporters is not enough to pay for a soccer ground in Western Australia.

Mr Marlborough: The same logic applies to a speedway.

Mr TRENORDEN: Exactly. However, if some of this money can assist soccer or a speedway that is what should happen.

Ms Warnock: That is what is suggested.

Mr TRENORDEN: I agree, but to make those products more acceptable - because even the \$190 000 the member for Dawesville talked about in turnover of the TAB is minuscule - the TAB needs to make its product as attractive as possible. The Opposition is agreeing to this issue and there will not be any real negativity from anyone.

The question of who gets the revenue and how it is developed is important. The industry itself is in serious trouble even though it refuses to acknowledge the consequences of what is happening out there. The racing and trotting industries are under pressure right now. I am sure country members will be getting many telephone calls about what is happening. The traditional racing industries, the horse and dog codes, are and will continue to be in decline. As a Parliament, we need to think seriously about how to manage this issue. The next downturn in the TAB will be when it is unable to produce a growth because either the economy turns down or some person takes a portion of the market. That next downturn will hit both racing codes very heavily. We need to make these changes, but I take the opportunity to say that we need to be taking a greater interest in the TAB. The TAB receives a lot of criticism, particularly from the professional crew - horse racing - about not being precise enough. However, we rejigged the TAB and it is now a professional board which raises money for the whole industry and not just particular codes. It has performed pretty well. My belief is that performance will drop soon. The growth of the Totalisator Agency Board turnover last year was mostly about squeezing in extra meetings and activities rather than new participants in the industry. As the member for Dawesville said, I believe participation in punting is declining, not increasing; therefore, some serious matters are coming up for the racing codes.

MR BRIDGE (Kimberley) [4.40 pm]: I came into the Chamber a few minutes ago and heard the previous speaker confirm his support of this Bill. From his comments and those of the member for Peel, I have been able to gain some understanding of the legislation quickly. Given that on very rare occasions I have had a bet it is just and proper that I say a few words about this legislation. I give my support to the legislation having regard to the average punting person who goes to a betting shop, sees the odds shown on the monitor, thinks that the price looks good and then decides to make a little investment - it may be 50¢ - only to find that if the horse, or whatever, has raced successfully, the odds have been cut by half when the dividend appears.

Mr Marshall: He puts his money on it.

Mr BRIDGE: That is right. Any proposal in this Parliament that removes that fluctuation and displays a fixed figure must be a good formula. Whether it is for the person who bets 50¢ or the person who bets \$1 000 or \$2000 - I believe some members in this Chamber do that, if not me - does not really matter. That fluctuation has always been a bone of contention. At the start of a race, based on the odds shown, I have calculated a dividend of \$5 will be paid for a winning horse, only to find that the winning bet results in a payout of \$3 or so. Punters cannot understand that and should not be subjected to such a fluctuation. It is not value for money. It is misleading for a punter to be drawn in when he genuinely considers his winning investment will pay a \$5 dividend only to find after the race is completed that the figure is shown at \$3.50 or whatever. There is a lot wrong with that. That is not to suggest that anybody has diddled the books or the pool.

Mr Trenorden: The prime cause is the offcourse betting in the Victorian TAB which comes after the start of the race. It hits some seconds after the race starts. As the member knows, the small punter has hated that situation for years. It is not likely to be rectified until the Victorian TAB spends a fair bit of money to correct the situation.

Mr BRIDGE: That is good. I understand we can correct it through this legislation. I see from it considerable benefits to not only the small punter but also those who bet more than 50¢. The amount of the bet does not matter. It is all to do with the unfairness of the fluctuation that occurs within the betting system. This legislation is very sound. It is very necessary and proper. Speaking on behalf of all punters, particularly the small punters, I endorse and support the legislation.

MR MARLBOROUGH (Peel) [4.45 pm]: I support the Bill. The member for Avon raised a couple of matters that within the next 12 to 24 months the Government will be forced to address when it comes to the running of the Totalisator Agency Board. The history of this Bill in this State is fairly obvious. Fixed-odds betting is now occurring in every other State. The electronic methods of transferring money mean that on a world scale many of the serious punters in this State have been betting offshore for many years. In fact, the TAB, as the major recipient of that betting dollar, has missed out accordingly. This is a necessary piece legislation because it strives to bring that money back to Western Australia.

An interesting figure that we must look at is the loss of dollars spent per capita on gambling in Western Australia. This is the only State to spend less money on gambling today than was spent here two years ago. In 1997-98 the amount of money

spent on gambling fell by 11 per cent, from \$594 per adult to \$527 per adult. I am not a gambler and I do not own horses. I have an interest because there is thriving racing industry in my electorate, with between 1 500 to 2 000 horses in training in the Rockingham-Mandurah-Pinjarra region. Many of them train at the Lark Hill race track in the heart of my electorate, and trials are held there. As I have said on many occasions, that industry has attached to it some unique and great Australian characters. I have an interest without my being a participant.

Many times I have been at Lark Hill at six o'clock on a Saturday morning, and seen some old mates, such as Malcolm Ayoub, who have tried to talk me into becoming a part owner of a horse. He used to say, "They love you down here. To cement your position, you really need to own a horse." One day I asked him whether he ever thought they loved me because I did not own a horse! My interest is in the racing industry. I know this Bill goes way beyond that. By definition, it covers all sorts of sports. It is still a very important part of the future of the racing industry because the profits associated with its development will be spread on a pro rata basis among the three racing codes, as occurs with the TAB profits at present.

I refer to another point raised by the member for Avon. The days of the TAB in its present form are numbered. According to the records from around the world and in Australia, the fixed-odds betting regime is developing very rapidly, particularly when applied to all sports. The present system cannot compete with a regime that will pay far less tax than that presently being paid based on the TAB turnover. Presently the tax paid from commission deductions averages approximately 17.2 per cent.

It is recognised that the sort of turnover received through the TAB will not occur through fixed-odds betting. The intention under this regime is as outlined in the minister's second reading speech as follows -

Accordingly, it is proposed to match the tax rates applied to bookmakers; that is, 2 per cent on horse and greyhound racing and 0.5 per cent on all other betting.

I am not opposed to that. However, such a system cannot be created without at least recognising that it will have serious implications for the rest of the TAB's processes and the amount of commission that is paid to Government through the totalisator system of betting. It is bound to happen because one has to assume that, as the pool of fixed-odds betting grows, it will take resources from the totalisator area. Money from one sector of gambling will go into another. It may well attract a number of new gamblers, but they will go from one sector of gambling to another. There will be a reduction in the TAB's turnover from totalisator betting and that will result in a loss of revenue and a decline in the taxes paid to the Government from that area. Under this proposal, as fixed-odds betting increases, far less tax will come back to Government.

This legislation is necessary because it will ensure Western Australia is competitive throughout Australia, and, hopefully, the world. The legislation may well attract back into the Western Australian pool some of the big punters who have gone offshore in the last two years. However, I am concerned that the days of the TAB's returning the sorts of figures I have in front of me - 17.2 per cent of tax paid from the commission deductions that apply to the TAB - will disappear. That will have a dramatic impact on the three major codes. As the member for Avon indicated, those codes are industries, rightly or wrongly, particularly the Western Australian Trotting Association and the Western Australian Turf Club. For over 20 years these codes have relied on the TAB dollar keeping them going. A collapse in TAB turnover has resulted in a subsequent collapse in the racing industry. I share the member for Avon's views about the people who administer those industries at a club level. In many instances they leave a lot to be desired.

Fundamental decisions need to be made within the racing codes. These include whether two metropolitan racetracks are needed in the 1990s, particularly when the tracks are within a kilometre of each other. A decision must be made about the appropriateness of those racetracks or whether there ought to be a new racetrack in the metropolitan area. Should there be a new racetrack where the population is so that racing can be taken to the people, rather than trying to attract people into the city to go to the races? There is also the question of the future of Gloucester Park. These important questions do not disappear because of this Bill. As a result of this Bill, the pressure for those decisions to be made increases. The future management of the three major racing codes is under the microscope more closely than it has ever been. We need to question where those industries will be placed as the fixed-odds betting regime grows.

The member for Avon clearly enunciated where he sees problems, and I agree with his comments. While the TAB pays 17.5 per cent and other gambling outlets pay 5 per cent tax on turnover, the TAB will not be able to compete and provide the same resources to the racing industry. There will be a downturn in money going into that area and the racing codes will demand that the money going into the racing industry and its events increase. We must look at a new formula for the TAB. This is not the Labor Party's position; rather they are my concerns as to how the racing industry will grow and survive in this State. It may well be that, for the sorts of changes that are necessary for the future of the TAB, we need to look at privatisation. Forty years ago when the TAB was set up we were competing with a few offcourse bookmakers around the State. We did not have the ability to transfer money interstate and offshore by pressing buttons. We can now sit in our lounge rooms in Perth and gamble in Malta. We can gamble in the Outer Hebrides. The electronic age has brought with it a different view of how the betting industry operates and how it links with the existing three major codes. It gives us a view of how the industry will survive as change occurs even more rapidly. Within the next four or five years we will be able to sit in our living rooms and gamble by telephone. We can do it now but Governments have not come to grips with the necessary legislation. While we watch a race in Europe on Foxtel, we will be able to dial a number on a telephone system or use a gadget in our hands and by pressing a couple of buttons we will be able to access our bank accounts. We can do it now and this process will grow rapidly.

Mr Cowan: I do not know that it is legal, but you can do it now.

Mr MARLBOROUGH: People are doing it now. One of the problems is that Governments have not been able to come to

grips with the sort of legislation that is needed, particularly where there are state and federal systems. The States are running at different paces on this issue. There needs to be agreement across the seven States and then federal agreement. It is difficult for a nation like ours to come to grips with these sorts of things. I commend the Bill. I could repeat what others have said, but they know far more about the industry than I do. I want to flag my concerns for the future of the TAB.

The distribution of profits from fixed-odds sports betting will be paid into the TAB sports betting account for distribution as directed by the Minister for Sport and Recreation. I understand that model has been copied from other States where the Ministers for Sport and Recreation are involved with the distribution. I am not sure that it is an appropriate method. While we ask Governments and ministers to be more accountable, I am not sure that it is in the best interests of the Parliament to have the Minister for Sport and Recreation's hands on a distribution system. However, if the minister can convince me it will not work in that manner I will be satisfied. We need a process whereby the distribution system goes to a board similar to the Lotteries Commission so that an independent group of people look at each submission. At this point the minister may not think it is a problem. He may be convinced that it is a problem and that we need a method that is at arm's length from the minister.

In the first instance I understand that the amount of money involved will be fairly minor. I spoke to one of the senior officers from the Office of Racing, Gaming and Liquor last week or the week before and he told me that initially it is expected to be about \$200 000 to \$300 000 per annum. That is not a large amount compared with the amount of money received by the Lotteries Commission; however, the principle is the same. When community groups with charitable backgrounds apply for funding they do not apply to the Minister for Racing and Gaming, under which portfolio is the Lotteries Commission; they apply to the Lotteries Commission. The commission is an independently selected board of people who consider each case on its merits and provide an answer accordingly. Although the quantum of money is not the same, the principle is the same and we should have an independent body determining the allocation of these funds.

Many sporting bodies in my electorate - I am sure I speak on behalf of other members of Parliament - would be delighted to get their hands on some of the funds that may be available through this process. In the past 15 years one of the tragedies of the way in which we manage funding to sports in general in this State is our conviction that the best way to manage money when we give it to sporting bodies is to give it to their peak bodies and that their peak bodies will magically distribute it fairly throughout the community. I have never seen dollars going into the Western Australian Cricket Association that have ended up on the cricket fields of Kwinana. I have never spoken to a cricket team down there that has received any of that funding. I have never seen dollars that go into the Western Australian Hockey Association (Inc) come into the hockey teams in Kwinana; and so it goes on. The process provided for in this Bill must work and it must work well; to work well it must be fair and equitable.

I am not casting aspersions on the Minister for Sport and Recreation. I am simply saying that the Lotteries Commission is a very good model for us to follow in Western Australia. It is a model that should be considered and applied to this money when being distributed from the pool. I commend the Government for bringing the Bill before the House and once again offer my support for it.

MR COWAN (Merredin - Deputy Premier) [5.02 pm]: I thank the members who have spoken in this second reading debate for their comments and for their general support of the Bill before the House. There are some issues upon which I need to comment. The first issue relates to the comments made by the member for Perth, who said we were dealing with this matter as a cognate debate. Leave was not sought to do that and I would be reluctant - in fact I do not think I can - to seek to do that now. Consequently, we will be dealing with these Bills separately. For those members therefore who have an interest in this legislation and the consequential legislation that is about to come forward, they will be dealt with separately.

The member for Perth gave her support to the Bill and indicated that fixed-odds betting, provided it is properly managed, would have the support of the Opposition. She also made reference to credit betting and commended the Government for having a special provision in the Bill to make credit betting an offence.

The member for Dawesville supported the legislation and made it clear, as did a number of other members, that the Western Australian Government has been actively pursuing a policy of not seeking to increase the level of revenue to the State by giving overemphasis to gambling and the revenue to the State from gambling. He and other members noted that Western Australia is the only State in this nation in which revenue to the Government from gambling has declined. The State Government is very proud of the fact that it has not sought to increase other areas of falling income by substituting the capacity of people to become involved in gambling and, through gambling taxes, enhancing revenue to the State. That is a very important state government policy and it is fundamental to the additional capacity the legislation gives to the Totalisator Agency Board to undertake its activities. It is not the intention of the Government to offer types of fixed-odds betting that will encroach in any way upon the existing services provided by the TAB. To that extent, therefore, the member for Peel's comments about the different taxing regime giving rise to the likelihood that fixed-odds betting will create a greater amount of interest from punters and generate a large amount of income are addressed.

It is the intention of the TAB to conduct fixed-odds betting only on some of the big name events, such as the Melbourne and Perth Cups, and on sporting events not associated with horses and greyhounds. It is not the Government's intention to widely utilise these new legislative provisions to be included in this Bill but to confine them to major sporting events such as I have mentioned and possibly some other horse-related events that I do not know about on which people like to have a bet. It is expected that the turnover will not be high; however, I am sure that the Minister for Racing and Gaming, on the recommendation of the TAB or any other body, will have the capacity to deal with that if there is a growing amount of interest in fixed-odds betting. The predominant intent of this legislation is to create new opportunities for people without in any way encroaching upon the State Government's clearly enunciated position that it will not follow other States by going

overboard in seeking to attract additional gambling opportunities to considerably enhance the revenue to the State; it is not its intention to do that.

Some members spoke about matters unrelated to this legislation; that is, the general welfare of the racing industry. I am not in a position to make any comment about that, other than to say that in view of the Minister for Racing and Gaming's thoroughness, he will read these debates in *Hansard* when they are produced and if he considers that an issue about which members have raised concerns must be addressed, I am sure he will do that. I again thank those members who have supported this Bill and I urge members to give it their support through the second reading.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate, and transmitted to the Council.

TOTALISATOR AGENCY BOARD BETTING TAX AMENDMENT BILL 1999

Second Reading

Resumed from 19 August.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate, and transmitted to the Council.

GAS CORPORATION (BUSINESS DISPOSAL) BILL 1999

Second Reading

Resumed from 9 September.

DR GALLOP (Victoria Park - Leader of the Opposition) [5.11 pm]: The first conclusion that can be reached from examining the proposal contained in the Gas Corporation (Business Disposal) Bill 1999 is that it is simply a revenue-raising measure. This can be adduced from the way AlintaGas is being sold as a vertically-integrated business. The second conclusion we can reach from a study of the Bill, and an issue which is of equal importance to the first conclusion, is that we appear to have not just a revenue-raising measure but a short-term revenue-raising measure which has longer term consequences for the State's budgetary position. This can adduced from the failure of the Government to provide a comprehensive budgetary rationale for the sale of AlintaGas. The Government is less concerned with the health of the economy and the efficiency of the gas market than with its own short-term budgetary problems.

I now illustrate those two points: Firstly, this is essentially a revenue-raising measure which has little to do with the efficiency of the gas markets or the future of the Western Australian economy; and, secondly, it is a short-term revenue-raising measure designed to meet the current financial problems faced by the Government. I start with the first and most important fact about this disposal legislation. The form in which AlintaGas is to be sold, and the timing of the sale, point to one conclusion: The sale is aimed at maximising revenue for the Government. With an election in the not too distant future, the Government is desperate for revenue to help bolster its bank balance. What better way to do that than to sell off a major public utility! I remind the House that the Government is currently facing a \$638m deficit in the general government sector. That is posing enormous problems within government which are reflected in a range of areas. It poses a problem for the Government as it goes into the last 18 months of its term before a general election. How does a government try to extract itself from such a situation? Firstly, it could get its house in order by setting the correct priorities and targets; and, secondly, it could find assets to sell off to fill in the gap that exists in the current budget situation. What evidence do I have for the proposition I put forward? The Minister for Energy has confirmed that the sale is being conducted in such way as to maximise short-term revenue. He is quoted in *The West Australian* on 30 March as saying -

AlintaGas is too small and to sell it as a split utility would mean less return for taxpayers.

It is interesting that the minister claimed that he would not seriously consider AlintaGas because it is too small. Only last December he boasted that AlintaGas was a significant and large corporation in the Western Australian economy. The second piece of evidence is that the minister is organising the sale in a particular way: He is selling AlintaGas as a vertically-integrated business. AlintaGas is engaged in not only the buying and selling of gas, but also the distribution of gas. The minister is selling both the distribution and the retail trading arms of AlintaGas. The new owner will immediately own the distribution network and be responsible for selling gas to the homes and businesses of Western Australia.

The Opposition has made it clear that it does not support the privatisation of such a vertically-integrated monopoly. The sale of such a monopoly raises a number of concerns about the future level of competition in the distribution and trading of natural gas in Western Australia.

These are not just the concerns of the Opposition. The Standing Committee on Uniform Legislation and Intergovernmental Agreements reported on competition policy and reforms in the public utility sector and found -

... there may be a number of issues concerning the privatisation of AlintaGas that need to be addressed including the need to restructure AlintaGas. The Government should proceed with caution when transferring a public monopoly to a private monopoly.

That report also referred to comments by the Western Australian Chamber of Commerce and Industry that AlintaGas should be broken up to allow true competition and lower gas prices. Concerns have been raised by others that selling AlintaGas would create a private monopoly and prices would increase. The Chamber of Commerce and Industry and a standing

committee of this Parliament have expressed concern that a vertically-integrated operation is being sold. A report to the Chamber of Commerce and Industry and the Chamber of Minerals and Energy by ACIL Consulting Pty Ltd released in March 1999 made a similar point. It reads -

The retail and distribution components of AlintaGas should be vertically separated with the creation of two separate enterprises.

The distribution network represents a natural monopoly and therefore privatisation must be preceded by the development of a regulatory regime which ensures access to the network for competitors on an equitable basis.

Mr Barnett: You are one of the few people in here who understands the correct definition of a natural monopoly. If you contemplate on it you might question whether AlintaGas is a natural monopoly. The Leader of the Opposition should give it some thought.

Dr GALLOP: I will give it some thought and comment on it when I talk about the gas market.

Market concentration, barriers to entry and market regulation are essential issues which must be brought to bear when dealing with a matter like this. Because the Government is selling AlintaGas in a particular way, those issues are not being addressed as easily or as well as they could be if the Government adopted the alternative approach, which is to separate the distribution side from the retail side - the buying and selling side - and allowed a market to take shape. In saying that, I note that the main focus of a report last week by the Australian Competition and Consumer Commission on liquefied petroleum auto gas and gas cylinder prices in Western Australia was the degree of competition in each part of the LPG market - that is, production, distribution wholesale and retail. The report clearly demonstrates that a lack of real competition in any part of a market will have direct and long-lasting consequences for consumers.

The Opposition wants to approach this issue from the point of view of creating a better gas market in Western Australia, rather than flogging off the asset. That is a much more sophisticated view of the issue than that of the Government. The Opposition holds that view because the Government simply wants to gain revenue from the sale. This is not about economy or efficiency; it is about maximising short-term revenue gains for the State of Western Australia.

Mr Barnett: If that were the objective, we would have had a trade sale.

Dr GALLOP: We will get to that. Although the sale of AlintaGas will provide a short-term funding boost to the Government of the day, it will deny future Governments and Western Australians income which would be gained from keeping the public utility. Although the Premier talks a lot about the impact of debt on future generations, he never seems to talk about the impact of reducing the Western Australian revenue base for future generations. The Government is too busy focusing on the anticipated revenue from the sale, ignoring the revenue to be relinquished as a result of the sale, which is an all-too-frequent feature of modern government commentary on privatisation.

AlintaGas is a profitable Western Australian business. Even after the sale of its most significant asset - the Dampier-Bunbury natural gas pipeline - it is returning healthy profits. In 1998-99 AlintaGas recorded an operating profit after income tax of \$30m. Excluding moneys associated with the sale of the Dampier-Bunbury natural gas pipeline, it returned to government over \$35m in income tax equivalents and dividends. The current forecast is for similar returns to government over future years. Government figures show that AlintaGas is expected to return \$58m in dividends over the next four years, plus another \$73m in income tax equivalents. Over the next four years, \$131m would be returned to the Government from the utility.

The fact is that government enterprises provide a substantial return to their shareholders; that is, to all Western Australian citizens. An analysis of the 1999-2000 state budget shows that government enterprises are expected to return \$672m to taxpayers in that year. Excluding commonwealth funding, it is the second largest source of recurrent revenue for the State Government; that is, it is behind only revenue derived from taxes and licences.

The need to analyse the revenue forgone is increasingly emphasised by economic commentators considering privatisation with a much harder edge than did economic commentators who looked at privatisation a decade or 20 years ago. An article titled "The Fiscal Consequences of Privatisation: Australian Evidence" by M. Harris and J. Lye published by the University of Melbourne reads -

Although raising revenue is an important motive for some Governments to privatise, . . . it has been widely recognised that the fiscal gain is illusory. . . The apparent gains stem from the accounting convention that sales proceeds are recorded in their entirety, yet the loss of future income stream from profitable enterprises that are sold is not. Indeed, the future proceeds forgone are unobservable.

Mr Barnett: Do you agree with the process of determining a net present value with the income stream?

Dr GALLOP: A lot of debate is taking place about how one analyses the discount rates to be used.

Mr Barnett: I agree.

Dr GALLOP: I will come to that, as none of that is in the minister's defence of the proposition. I would have liked to see from the Government the prospective returns to the State through keeping AlintaGas in public ownership. That calculation should be made under the assumption that we will create a more competitive gas market - with which we agree - and which requires the separation of the distribution network from the buying and selling of gas. There would still be a return to the State. Compare that to a quick sale: Get in the revenue, and we have the illusion of a short-term gain and the reality of a long-term loss to the State of Western Australia.

An OECD publication made the same point -

... governments are increasingly coming under **budgetary strain**. In this respect, the privatisation of state companies is attractive by removing the need to transfer resources to companies running deficits and/or by generating revenues from the sale of companies. However, by selling off companies, the government gives up the future dividend stream from these assets, leaving the net effect on government wealth difficult to assess. Also, it is crucial that the proceeds from privatisation are not utilised to relieve pressure for taking measures against structural budget deficits.

The minister might respond to this point: Has the Government undertaken any cost benefit analysis of the sale of AlintaGas? Has the Government calculated the net present value of future income streams to government; if so, on what basis? I pass across to the minister an article by John Quiggin, a professor of economics from Queensland, who writes on these issues. He questions much of the economic analysis conducted on the budgetary gains which arise from privatisation. The minister can read this article in his own time. Quiggin, among other economists, is now claiming that analysis of the fiscal effects of privatisation indicates that the revenue forgone from selling the asset outweighs revenue from selling the asset. He writes in an article titled "The Future of Public Ownership in Australia", published by the Committee for the Economic Development of Australia, as follows -

Analysis of the fiscal effects of privatisation show that, on average, governments will receive more income through maintaining public ownership of government business enterprises than through selling assets and using the proceeds to repay debt.

Quiggin has also analysed the way we assess returns to government. I will not go into that today. However, his view is that retained earnings as well as dividends to government should be taken into account in the way we assess the value of a government enterprise to the people of that jurisdiction. What rationale has the Government given for the sale? It is like the rationale increasingly given for privatisation in similar countries: The argument in this case is unsophisticated, rhetorical and not based on substantial economic analysis, either of the operation of the gas market or the State of Western Australia and its future fiscal position.

We find it to be lacking in analysis, so what does the Government do? It tries to blackmail the public by linking the sale to some other public expenditure which is seen to be desirable. The Premier tied the proposed sale of AlintaGas to the construction of a \$1b railway linking Perth to Mandurah.

Mr Barnett: Is the use of the proceedings a legitimate public issue?

Dr GALLOP: The primary issue should be the economics of the sale and the benefits or otherwise to the State. The Government should not try to pretend that the alternative of the rail line is in itself a justification for the sale of AlintaGas. Of course it is not.

Mr Barnett: I agree. I have a responsibility to try to argue for the merit of the sale in its own right, but there is a public issue about what happens to the proceeds.

Dr GALLOP: We should focus today on the economics of the sale. The public is becoming increasingly restless with privatisation, and for good reason. It is not because people have suddenly become economic troglodytes and want to nationalise the means of production, distribution and exchange. The public view is that people want a healthy public sector playing a constructive role in a competitive economy. People say, "We have had 20 years of privatisation. Where is the benefit?" Taxes and charges have increased, and no observable improvement has occurred in services delivered. Indeed, clear deficiencies have emerged in regional Australia from the privatisation process. That is why Telstra has been such a controversial issue. In the last three elections at which privatisation was an issue - namely, those in Tasmania, Queensland and New South Wales - a decisive vote of the people indicated that they did not want privatisation of major public assets.

Mr Barnett: Why don't you take a punt on Victoria? It is an issue there.

Dr GALLOP: That may be the exception which proves the rule. The big issue in Victoria is the privatisation of health, but I am not sure about electricity. Increasingly, Western Australians are asking: Where are the benefits from this process? I am concerned that as a State we will give up to the Commonwealth our revenue raising powers through the GST agreement. We are increasingly selling off state assets which bring a return to the Government of Western Australia and, therefore, to the people of this State. Increasingly, taxes associated with those former government trading enterprises go to the Commonwealth rather than the States. We are undermining the fiscal position of States in our federation. The minister, through this legislation, is further undermining the fiscal position of Western Australia within our federation. The long-term problem with the federation is that States have continually given up, or alternatively the Commonwealth has acquired, state taxing powers. Only in the past year, in the context of the GST debate, the State Government voluntarily gave up some of its state taxes in return for a share of a centralist commonwealth tax. The GST agreement mark II gave more power to the Commonwealth over some of our affairs than did the original agreement, some of which was to the aggravation of the Minister for Energy.

Not only has the State given up its taxing powers, but also privatisation will see the State Government giving up some of its taxation and revenue base. By selling AlintaGas, the State will no longer receive dividends and income tax equivalents from this public asset. I say that with the knowledge that members on this side of the House would agree with the Government if it were to improve the competitive nature of the gas market and ensure a separation of distribution from retail functions.

Mr Barnett: So that I understand what you said then, are you saying you would agree with the privatisation if it were split?

Dr GALLOP: No, I said more competition. I acknowledge that we need more competition, and I acknowledge that this impacts on the ability of AlintaGas to earn revenue. However, even accepting that, it will earn revenue for the State, and we have confidence that it can do that. By selling it off, we are sacrificing that long-term revenue that can come to the State and be invested in schools and hospitals for a short-term gain that will not produce a better gas market. Indeed, by making it private, it will discourage competition because of the vertical integration of the sale.

Once transferred to the private sector, this business will provide revenue to the Commonwealth by way of commonwealth income tax. We have a Government that has not done its homework on this issue, has not presented a proper cost benefit analysis of the sale, has not engaged in a proper revenue stream analysis which would indicate what the pluses and minuses are for the State, and has not organised the sale in a way that gives confidence that we will have more competition in the gas market; in fact, we will have the reverse. We have a Government for today and not for tomorrow.

MS McHALE (Thornlie) [5.31 pm]: The decision by the Government to sell 100 per cent of the state-owned gas corporation, AlintaGas, caused a great deal of concern in my electorate. It is because of those concerns that have been expressed to me that I wish to make a brief contribution to this debate and focus particularly on a couple of areas. The first is an issue on which we have commented; that is, whether there was a mandate to sell AlintaGas. I will analyse what that means. Secondly, I will use the opportunity to caution the Government about the keeping of records and the potential danger that privatising a public utility can have from the perspective of public safety and record keeping. On behalf of my electorate, I will also make some remarks on the link between the sale of AlintaGas and the south west railway. In my concluding remarks I will return to the community response that the proposal to sell AlintaGas has evoked in the electorate of Thornlie.

I start by making a few remarks about the concept of mandate. First, it is important to put on record that the community response and attitude to privatisation has changed over the last decade or so. That change in attitude is reflected in the fact that the community is now much more reluctant to tolerate the privatisation of its assets. It also has a degree of suspicion about why Governments are selling off assets and what these sell-offs will mean to it in the medium to long term. We have seen that the community now attaches a greater value to its public assets and now demonstrates a greater opposition to the privatisation of assets, particularly those that are seen to be in the arena of core assets, which are, naturally, health, education and power. It is against a backdrop of increasing community antagonism towards the privatisation of our assets that the Government is now introducing a Bill which will do just that.

Several of my colleagues have spoken about the Government not having a mandate to sell off AlintaGas. I agree that there is validity in those comments. I want to explore what having a mandate means. If anybody is interested in studying the mandate doctrine, a useful publication called *Mandate: Australia's Current Debate in Context* was recently released by the Parliamentary Library in Canberra. I will refer to that document because it succinctly explains what we mean when we talk about a mandate. Essentially, having a mandate is about justifying decisions that are or are not made. A conclusion by Richard Mulgan, an academic, states -

The theory of the mandate may thus be taken to justify governments in enacting their election policy and to oblige them not to introduce major measures which are outside that policy.

I will return to that comment and paraphrase what I mean. Professor Emy, an academic at Monash University, made another observation on what a mandate means when he said -

An elected government does enjoy a right to govern and to legislate in pursuit of policies it announced either during or prior to the election campaign. However, the citizens also have a right to expect that the government will govern in line with its stated intentions or promises; and, that faced with the unexpected, it will at least try to respond consistently with established policy and/or its political principles.

We have argued that the Government has no explicit mandate to sell off AlintaGas, other than perhaps its propensity or ideology to privatise. However, that of itself is not a mandate. Therefore, if the announcement to sell off AlintaGas was not part of the election policy, and as it is a major policy initiative and announcement -

Mr Barnett: Have you read our election policy on energy?

Ms McHALE: Did the Government say it would sell off AlintaGas?

Mr Barnett: I asked you if you had read it, because it talked about privatisation and deregulation.

Ms McHALE: Yes. However, did it talk about privatisation of AlintaGas?

Mr Barnett: Yes.

Ms McHALE: And that was taken to the public as a stated policy?

Mr Barnett: No.

Ms McHALE: That is the point I am making.

Mr Barnett: No, we talked about privatisation and specifically about the pipeline. We did not extend it further. We talked generally about privatisation.

Ms McHALE: That is the point I am making.

Mr Barnett: You have a point and I can see the point. However, you have not read the policy, so you are on dangerous ground to comment on policy you have not read.

Ms McHALE: I did not say that I have not read the policy. I am saying that the Government did not go to the election and say that it would sell off AlintaGas. I am talking in the context of mandate and I am saying that with such a significant policy announcement, that should be deferred until the community -

Mr Barnett: Did you agree with selling the pipeline last year?

Ms McHALE: I do not want to get sidetracked by that.

Mr Barnett: I want to see your credentials on energy. You are speaking on the topic. You must have a position on the pipeline. Did you support the sale of the pipeline?

Ms McHALE: I do not support the sale of AlintaGas.

Mr Barnett: The pipeline was the key asset in AlintaGas prior to the last election. It was the most valuable part of AlintaGas.

Ms McHALE: With respect, minister, I want to focus on the options for the future. The sale of the pipeline has happened and I do not believe there is any point in using time to go back over old ground.

Mr Barnett: You raised the topic of the policy. I am testing you on it.

Mr Thomas: Where the minister is misleading the member is in the fact that the transition pipeline is not an actual monopoly, whereas the distribution system is, and he knows that.

Ms McHALE: It will be helpful to the debate if I move on. However, I will summarise the last interjection. The minister acknowledged that I have a point about the mandate, and he agrees with me. The point about the mandate is summed up nicely in the statement from Emy that it is a mechanism for upholding the ethic of responsible party government. That is the point I wish to place on record, as far as my electorate is concerned. The community did not have the opportunity to vote on whether AlintaGas should be sold. People are angry about and do not agree with the decision. No mandate was given to the Government and the Liberal Party did not go to the election with that as an explicit proposal or commitment.

I now comment on the privatisation of AlintaGas and the implications for public safety. In other debates I have referred to the state records legislation which excludes AlintaGas and Western Power. If AlintaGas is ultimately sold, what mechanisms will be included in the legislation to ensure that documentation of hazards and risk management strategies is soundly based on appropriate record keeping? Will the Government ensure that the documentation on the record keeping is open to the public, should there be a threat to public safety? Recently some arsenic has leaked into Cockburn Sound, and in that connection it will be interesting to see how solid was the record keeping of CSBP. We need assurances that as part of the risk management strategy, the documentation of any company which ultimately buys AlintaGas, should that occur, is comprehensive and can be made public. Without that assurance, we cannot make a commitment to the community that public safety will be assured if an accident or some untoward event occurs. That is the second concern I place on the record about the sale of AlintaGas.

My third concern relates to words uttered by the Premier linking the sale of AlintaGas to the extension of the railway line from Perth to Mandurah. Although the community of Thornlie welcomes the extension of the railway service - with some exceptions because of problems around the school - it objects to the notion that provision of the service must be linked to the sale of AlintaGas or that it will be provided sooner if AlintaGas is sold.

Mr Barnett: What would they rather - that other moneys be used for the railway?

Ms McHALE: They would like a commitment from the Government to the railway.

Mr Barnett: The commitment is there. Would they like it to be built quickly?

Ms McHALE: The time frame established of up to 2007 has not raised the ire of the community.

Mr Barnett: An AlintaGas sale with the proceeds would accelerate that program. The member for Rockingham's constituents would be delighted.

Ms McHALE: I will allow this cross-Chamber conversation.

Mr McGowan: You did not say that. You said it was not contingent upon the sale of AlintaGas. Now you are being duplicitous. Are you saying something different?

Mr Barnett: It is not contingent but you cannot hide the fact that it will be quicker.

Ms McHALE: I have allowed the interjections across the Chamber, and I will now stop them. The community welcomes the construction of the railway line, but it does not wish the program to be accelerated on the basis of agreement to the sale of AlintaGas. I place that on the record as a concern of the community.

I now bring together some of the threads of what I said. I had intended to go through the economics of the sale of AlintaGas, but my colleagues on this side of the House, particularly the Leader of the Opposition, have gone through some of the economic arguments we wished to place on record to counter some of the reasons the minister has chosen to justify the sale of AlintaGas. In his announcement in December, the minister referred to a number of justifications for the sale of AlintaGas, and opposition members believe that not all of them are justified by sound economic reasons.

The response from the Thornlie electorate is that people do not want the privatisation of AlintaGas. In the past they have

been prepared to tolerate privatisation of public assets in certain areas, but certainly not in key portfolio areas such as Energy. They reject the notion that the policy of privatisation is in their best interests in the medium to long term, and they anticipate that the price of gas will rise. It is interesting to note that the proposal to cap the price of gas is based on the consumer price index plus 2.5 per cent. I have made some calculations and estimate that for a typical household, that would lead to an annual increase of about \$22. That is quite significant. Although AlintaGas prices have remained static over the past couple of years, which is good, there is every likelihood that privatisation will lead to increases as a result of the proposed arrangements.

In summary, the Government has no mandate for such a major policy. Members on this side have grave concerns about the preservation of public safety in relation to documentation and record keeping, and that should be addressed. We oppose the link between the sale of AlintaGas and the extension of the south west metropolitan line. Finally, on behalf of my constituents, I indicate their opposition to the sale.

MR McGOWAN (Rockingham) [5.48 pm]: I oppose -

Mr Barnett: The railway to Rockingham!

Mr McGOWAN: I will get to that. I have a few interesting remarks to make about the minister. I support the position put forward by the Opposition opposing the sale of this major public utility. As I was thinking about my contribution to this debate, I was reminded of something Winston Churchill said on a similar issue.

Mr Barnett: It is good to see you are supporting conservatives.

Mr McGOWAN: I do not put the member for Cottesloe at the same level as the British wartime leader. However, I was reminded of something he said. Shortly after the Second World War when his party had lost office - an analogy can be drawn there - he walked into the men's toilet at a time when Clement Attlee was standing using the toilet. Churchill walked to the other end of the toilet and proceeded to use it, and Attlee asked Churchill whether he was feeling a bit standoffish that day. Churchill replied, "That is right, because every time you see something big you nationalise it". In the case of the member for Cottesloe, every time he sees something big, he privatises it. That is certainly the case in relation to AlintaGas and, after the next election, that will probably be the case in relation to Western Power.

The sale of a public utility such as this goes down to the core beliefs of both sides of politics. The Government wants to sell AlintaGas. It thinks it can realise a hefty price for AlintaGas and use that money for other purposes. However, we on this side believe that this is a basic issue. AlintaGas provides a basic service; that is, the provision of energy to the public of Western Australia. We will draw a line in the sand on privatisation and oppose the sale of AlintaGas. It goes back to the core beliefs of the Labor Party. Historically, the Labor Party would have supported the public ownership of all major segments of the economy, whether it be gas, electricity or anything in relation to heavy industry. The Labor Party would have said that it wanted it to remain in public ownership. The Labor Party no longer holds those views. Over a period in the 1980s and early 1990s, the Labor Party was involved in the sale of a lot of public infrastructure and assets which were not natural monopolies. The classic example is the sale of Australian Airlines, as it was then, and Qantas, which were players in a diversified and relatively competitive market. Although the domestic airline system is not as competitive as it should be, they were players in a competitive market. It was decided that tying up public capital in enterprises which are involved in a competitive market was not an appropriate use of that capital, and it could be used better elsewhere. Consequently, the Government of the time decided to sell it.

At a state level the example of SGIO springs to mind. It was a competitive sector of the economy for a long period and it also was not the dominant market player. I suppose members could draw a distinction with Telstra, which is also involved in a competitive market. However, Telstra is so dominant and holds such an overwhelming position of power in the Australian market that the Federal Opposition has taken the view that it should remain in public ownership. This is one of the cases where we draw a line in the sand.

Mr Barnett: Do you think AlintaGas is dominant in the market?

Mr McGOWAN: Yes, I do.

Mr Barnett: Do you know how much gas it sells as a proportion of gas sold in the State?

Mr McGOWAN: What is its percentage in the domestic Perth market?

Mr Barnett: It accounts for 27 per cent of total gas sales. Gas sales to residential and small business customers account for 4 per cent of total gas sales in the State. In no way is it in a dominant market position.

Mr McGOWAN: As I was indicating, we do not support the sale of this infrastructure. The sale will be a vertically-integrated sale of principally a public monopoly. I am not exactly sure to what the minister is referring, but AlintaGas is the market player in this area. I look forward to the minister's speech backing up what he has just said. The minister referred to the case of Victoria when it sold its electricity assets. Victoria did that in a geographic sense and also in an integrated sense in relation to the generation, transmission and retail arms of that sector of the Victorian energy economy.

Mr Barnett: Would you agree that if we privatised AlintaGas, it would be Alinta one north of the river and Alinta two south of the river?

Mr McGOWAN: I do not agree with selling AlintaGas. The minister is missing the point. Victoria disaggregated it in relation to geographic areas. Various geographic areas were subject to certain supplies, which is not a particularly competitive model. It also disaggregated it in terms of the various arms of the electricity industry; that is, generation,

transmission and retail. It had a mechanism by which it could at least guarantee some competition. In our case, the Government will sell off AlintaGas without splitting it along those lines.

Mr Barnett: We sold the main asset - the Dampier-Bunbury natural gas pipeline. It was split off and sold independently.

Mr McGOWAN: The minister has raised that already. In terms of the sale, will he split the remaining parts?

Mr Barnett: We have sold the major part and we are talking about the remaining parts of AlintaGas.

Mr McGOWAN: Will the minister split the retail, transmission -

Mr Barnett: Yes, it is already done. We have already split retail and transmission. I know what you are saying.

Mr McGOWAN: Will the minister split those?

Mr Barnett: No. We have already split off transmission.

Mr McGOWAN: That is not the model used in Victoria, which the minister is lauding as being successful.

Mr Barnett: What happened with transmission in Victoria?

Mr McGOWAN: Is the minister referring to the lines?

Mr Barnett: Transmission pipelines.

Mr McGOWAN: I am referring to Victoria's equivalent of Western Power; that is, the State Electricity Commission of Victoria.

Mr Barnett: We are talking about AlintaGas.

Mr McGOWAN: I know we are. That is the one that is mainly held up.

Mr Barnett: You are better on railways to Rockingham. I would talk about that issue if I were you.

Mr McGOWAN: The minister does not need to be so patronising.

Mr Barnett: I am just giving you a bit of guidance.

Mr McGOWAN: That is the minister's biggest fault: He is so patronising. The minister is not splitting those various arms of AlintaGas, and that is what he should do if he wants any sort of competitive model in relation to this matter. He will allow an overseas purchaser to own potentially 49 per cent, and two years after the sale that purchaser can buy more. The minister cannot deny that in many privatisations that have occurred, particularly in other countries, those major purchasers have then taken on a great deal more of the asset after that period. That has happened in Britain to the majority of its privatisations. AlintaGas will potentially be owned by a majority of overseas investors, which does not thrill a lot of people. The fact that the minister sought no mandate from the people of this State prior to the last election merely says to the people of Western Australia that after the next election, the sale of Western Power could be on the cards. The people of this State can have no confidence that, in light of what has happened in relation to AlintaGas, Western Power will remain in public ownership after the next election. Selling off those two strategic, major parts of our energy infrastructure is a big mistake. I raised this issue recently at a community meeting I held in my electorate office. That meeting was attended by 120 people and when I raised the fact that the Government wanted to sell AlintaGas, it was met with an overwhelming and resounding no.

Mr Barnett: Did you tell them that the money might be used for the railway, too?

Mr McGOWAN: That is an interesting point and I am pleased the minister raised it. The day after the Premier made his announcement, the minister said that it was not necessary.

Mr Barnett: It is not necessary for the sale, but it is of interest to people.

Mr McGOWAN: That is not what the minister said. Perhaps this was part of his plot to undermine the Premier the day after he made his announcement. He said that it was not necessary to sell AlintaGas in order to build a railway line south. Is the minister going back on what he said at that time?

Mr Barnett: I would have said that the sale of AlintaGas stands in its own right, and we do not have to justify the sale to the public.

Sitting suspended from 6.00 to 7.00 pm

Mr McGOWAN: I oppose the sale of AlintaGas because the sale is not in accordance with stated Australian Labor Party policy. The party's policy is to retain essential public utilities in public hands. The Government has no mandate to sell AlintaGas. It was not put to the people before the election that AlintaGas would be sold. The asset comprising AlintaGas is owned by all the people of Western Australia. Before something of such significance is disposed of, potentially to a foreign investor, the people should have an opportunity to decide the matter. The sale also raises questions about the Government's intentions for Western Power and, if it is successful at the next election, whether Western Power will be sold off. I suspect that it will be.

Mr Barnett: Do you think we will be successful at the election?

Mr McGOWAN: I suspect that the Government will sell Western Power if it is successful.

Mr Cunningham: It will not be successful.

Mr McGOWAN: Will the Minister for Energy say that Western Power will not be sold off after the election?

Mr Barnett: We have not set our policy. I have said publicly on a number of occasions that the Government may sell a major generating unit, but not Western Power.

Mr McGOWAN: Does that mean the Government will not sell all of Western Power?

Mr Barnett: No. That is my view now and it is the Government's view.

Dr Turnbull: And it is supported.

Mr McGOWAN: Supported by whom?

Mr Ripper: You are in deep trouble!

Mr McGOWAN: Does this mean the Minister for Energy does not support the sale of Western Power? Does he support the sale of AlintaGas? Why does the minister support the sale of AlintaGas and not Western Power?

Mr Barnett: Rumpole of the Bailey!

Mr Ripper: An uncooperative witness.

Mr McGOWAN: I will have to declare a hostile witness! The Opposition does not support the sale of an asset that holds a monopoly over the Perth domestic market, especially as this asset will not be split into its distribution and retail arms. AlintaGas is being sold as a vertically-integrated monopoly, similar to what the Government is doing with Westrail. The Government had no mandate for the sale of Westrail prior to the last election. I checked the joint Liberal-National parties policy and it did not mention that it would sell Westrail in this term of Government. There is no mandate for the sale of AlintaGas and the Government is selling an asset that holds a monopoly over the Perth domestic market. It is not being broken up before it is sold.

Dr Turnbull: It has a very good competitor in the form of electricity.

Mr McGOWAN: The people of Western Australia will lose the dividend that is received each year. There is great potential for AlintaGas to be owned by a major foreign company. The sale of these assets is opposed by a vast majority of the public. We have to draw a line on the sale of assets such as these and say that we will not allow these pieces of infrastructure to be sold off. That accords with the basic beliefs of the vast majority of the people of Western Australia, in particular the vast majority of people who support the Australian Labor Party. I will not be party to ratting on the core belief of Labor supporters. The Labor Party will oppose the Bill and try to prevent the sale of AlintaGas.

The rail issue has been raised by the Government as a red herring. The Government said it may construct a rail line to Mandurah by 2007 if AlintaGas is sold. Otherwise, the Government said that it may not be constructed until 2007. The Premier has also thrown into the equation his belief that Westrail should also be sold to build the rail link south. This shows a distinct lack of bona fides to the people who live in the south-western corridor of Perth. No other piece of public infrastructure in the history of this State has been contingent upon the sale of another piece of public infrastructure. The Premier says that the rail link south is contingent upon the sale of two pieces of public infrastructure. AlintaGas and Westrail have to be sold before the south-western corridor receives the same public transport infrastructure as other parts of Perth.

Mr Barnett: If that were the case, the answer is pretty simple for the member for Rockingham's constituents. They can have gas and no rail link or they can have gas and a rail link.

Mr McGOWAN: The Deputy Leader of the Liberal Party forgets that my constituents will also have a choice at the next election between a party committed to a decent rail link south and a party that treats them like second-class citizens vis-a-vis the other people who live in our city.

Mr Barron-Sullivan: How would the member for Rockingham fund the rail link?

Mr Barnett: Higher gas prices.

Mr McGOWAN: The Labor Party will come up with its policies, including how this project will be funded, in the lead-up to the next election.

Mr Pandal: As the member for Mitchell said, that is how we traditionally got the major public works done.

The DEPUTY SPEAKER: I remind members that the member for Rockingham is on his feet. I am trying to listen to him. I ask all other members to stop interjecting.

Mr McGOWAN: The member for Mitchell's electorate has not had to deal with the blackmail on construction that has been imposed on the rail link to Rockingham and Mandurah. The people have never been blackmailed to say that they can have one thing, provided the Government sells another. That requirement has never been placed on any piece of infrastructure, including infrastructure that is in the member for Mitchell's electorate. Yet, for some reason, he seems to think that it is okay for the people of the south-western suburbs to put up with this sort of blackmail to have essential infrastructure. It is not okay for that situation to exist for the people who live in that area. The people who live in my area are not second-class citizens when it comes to these projects. They should not have conditions placed upon them that other areas have never had placed upon them.

I would place it in a similar category to some of the promises made by the Victorian Premier in the current state election

campaign. He has said to the people in two electorates in the Dandenong region that if they vote Liberal the Government will put a package into their electorates. That package will be worth approximately \$100m and will be used to develop the infrastructure of Dandenong and lift the status of the town. The package will be available only if they elect Liberal members.

Mr Barnett: That is a good idea.

Mr McGOWAN: Do you think that is OK?

Mr Barnett: We will probably develop a Rockingham package.

Mr McGOWAN: You can have a go. Keep going.

Mr Barnett: We will wait to release it at the time of an election.

Mr McGOWAN: The minister should try his best. If I were he, I would be a bit more worried about my seat.

Mr Barnett: We will have a Cottesloe package as well. We could pork-barrel Cottesloe.

Mr McGOWAN: I put it in the same category as the Victorian Premier blackmailing the people of Dandenong and saying that money will be put into their electorates provided they elect Liberal members. That is undemocratic. It is wrong and should never happen. The only other example of it happening was in Queensland. The Victorian Premier is showing signs of following the former Premier of Queensland, Joh Bjelke-Petersen. I remember when I was studying politics Bjelke-Petersen was making similar demands on people in rural Queensland who happened to reside in marginal seats. He told them that if they elected a Labor member no money would be put into their electorates. He was quite blatant about it. There was a public outcry at the time, and yet the Victorian Premier is doing the same thing and there is an analogous situation here. The Government might build this for us, on an eight-year time frame, if we allow it to sell off a piece of a vertically-integrated monopoly which produces income for the public of the State. The public of the State does not want it sold off. I am opposed to that form of blackmail being imposed on the people of the south-western corridor. When the rail link was built through the member for Cottesloe's electorate the same requirement was not placed upon it. When the railway through his electorate was reopened, it was never said that some piece of essential public infrastructure had to be sold in order to fund it. It has never been done before.

Mr Barnett: Taxes were raised. Is that going to be your policy?

Mr McGOWAN: It is funny the minister should say that because my reading of what he said the day after the Premier made his announcement was that he agreed with what I said. What's more he has put on the record in this Chamber that he supports the Fremantle route.

Mr Barnett: I do not know if I have gone that far.

Mr McGOWAN: Yes, the minister has. If he likes, I will find the reference later. He has said that he personally supports a Fremantle route. I file these things away. He is agreeing with a policy he did not agree with six months ago. He is supporting a link through a route which he does not actually support. He is personally opposed to it.

Mr Barnett: My memory comes back to me. I think when the discussion about routes was going on I did probably say I saw some merit in the link between Rockingham and Fremantle.

Mr McGOWAN: The minister said he supported a Fremantle link.

Mr Barnett: I do. I do not have a problem with that.

Mr McGOWAN: That was his line.

Mr Barnett: The proposed route services more people.

Mr McGOWAN: I do not think it does. I think the figures are very rubbery and spurious. I have read the report and I think the projections as to the cost of the route need to be examined. The projections for the population buildup in the areas where the proposed Kenwick route will go are incorrect. The vast majority of people in the south western corridor, the ones at whom this rail link is principally directed, support a Fremantle option, yet blackmail is being imposed upon them because they are being told that infrastructure will need to be sold to enable this rail link to go ahead. However, the rail link is planned for the wrong route; one with which the member for Cottesloe personally disagrees. The whole process has been dealt with in a manner which has not served the interests of the people of the south-western corridor whom I represent. It does not serve the Government well to indulge in this type of activity. It should make a definite commitment to build the rail link for the people down there, because they need this infrastructure. If it does not intend to do so, the Government should say so. A central plank of the Opposition's policy at the next election will be that we will build this rail link.

Mr Barnett: Will you tell people how you are going to pay for it?

Mr McGOWAN: We will tell people how we will pay for it. In the same way as the minister has said that he has not formulated his final policy on Western Power, we have not formulated our final policy on how we will fund the southern rail link. It is disconcerting to hear reports of major construction on the Kenwick route because I think it is the wrong route. Apparently a tunnel for the rail link is being dug under Albany Highway. It is hard to accept that the Government is attempting a *fait accompli*, because the people of the south western suburbs will have to use that route. The Government will make no commitment to a time frame if AlintaGas is not sold. This is a piece of blackmail; the Government is taking the wrong route and infrastructure is being put in place which will make it very difficult for any future Government to construct a rail line via Fremantle which is the best route for it.

MR BARNETT (Cottesloe - Minister for Energy) [7.17 pm]: I thank members opposite for their comments on the Bill. I do not propose to make my full response at this stage. I advise members the Government intends to delete a significant section of the Bill relating to technical and safety matters. It warrants further discussion with industry and is not essential for the privatisation of AlintaGas. We should consider the Bill in detail on Thursday when we will have a clean, corrected copy. I intend to respond to the second reading debate on Thursday morning.

[Leave granted for speech to be continued.]

Debate thus adjourned.

CRIMINAL CODE AMENDMENT BILL 1999

Second Reading

Debate resumed from 23 June.

MR McGINTY (Fremantle) [7.19 pm]: The Opposition supports this amendment to the Criminal Code. It is a fairly minor but important amendment which should enjoy the support of both sides of the House. In essence, it adds to the provisions of section 570 of the Criminal Code. It makes provision for the Anti-Corruption Commission to interview suspects under the same conditions that apply to the Police Force. The amendments to the Criminal Code go further to make specific provision in particular for the Parliamentary Commissioner for Administrative Investigations to be involved when dealing with the tapes in question. Section 570 of the Criminal Code, and the sections that follow immediately thereafter, make provision for the police to videotape interviews with people suspected of having committed a particular offence. Currently, the provisions in their scope relate only to the Police Force. For instance, the term "interview" contained at the beginning of section 570 is defined as an interview with a suspect by a member of the Police Force. When the provisions were inserted in the code in 1992, they were meant to relate only to the Police Force. They were designed to give certain rights to accused people by regulating the ways in which police conduct interviews, the requirement that they be videotaped and therefore their admissibility in criminal proceedings.

Since 1992, the Anti-Corruption Commission has become an important investigatory body in Western Australia and those same provisions should now be extended to the Anti-Corruption Commission. Specifically, the amendments will insert in section 570 a definition of "Anti-Corruption Commission official" and also a definition of "Parliamentary Commissioner" or the Ombudsman. Importantly, in section 570A, provision is made for a videotape of the interview to be made available to the accused person. Provision is then made in section 570B(1) of the code for possession of those videotapes of interviews to be restricted to a limited class of people which includes -

- (a) the suspect or the suspect's lawyer;
- (b) a member of the Police Force acting in the course of duty;
- (c) a person authorized for the purposes of this chapter by the Commissioner of Police;
- (d) the Director of Public Prosecutions or a person acting under the authority of the Director;
- (e) a person acting at the direction of a court;
- (f) a person prescribed to be an authorized person.

These amendments, consistent with that which I have already described to the House, incorporate a provision that these videotapes can be possessed by the Anti-Corruption Commission or by the Parliamentary Commissioner. That is also an important provision and it is important that we extend to the Anti-Corruption Commission the same provisions that apply to the Police Force. I say that because if we have even marginally different provisions, complications would then become apparent in the videotaping of interviews with suspects. We need greater simplicity in these laws rather than different standards applying to the Anti-Corruption Commission, the Police Force or any other body for that matter.

The other important amendment is proposed section 570GA, which provides for the videotapes to be retained by the Anti-Corruption Commission. Proposed section 570GA reads -

- (1) If an interview is videotaped, the Anti-Corruption Commission shall ensure that a videotape of the interview is kept in safe custody for at least 5 years.
- (2) If the Supreme Court is satisfied there is good cause for keeping a videotape of an interview for more than 5 years, it may order the Anti-Corruption Commission to keep a videotape of the interview for such additional period as the Court thinks fit.

Provisions then follow for the erasing of videotapes of interviews. Obviously, that is a requirement of the Anti-Corruption Commission to keep these videotapes for a period. I am sure members have been aware of instances in past years in which records of interviews have disappeared, been erased or destroyed. This is a worthwhile provision to ensure that videotapes are kept for at least five years and then provides for them to be kept for a greater period. Generally speaking, the Bill is simple in its purpose: It applies to the Anti-Corruption Commission and to the Ombudsman. The same provision under the existing regime for videotaping interviews with suspects applies to the Police Force and deserves the support of both sides of the House.

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [7.26 pm]: Basically, the purpose of the Bill is to allow the Anti-Corruption Commission to conduct its work as an investigatory body and to give it strength behind that work. The

Government has a policy to ensure that that independent body has the powers to carry out its work in the best way it can. The Bill amends the Criminal Code. We must realise that we are getting into more of a technical age whereby modern information technology such as videotaping will be used more and more and we should allow not only the Anti-Corruption Commission but also the Ombudsman to be able to use these modern techniques.

We must also ensure there are safeguards in the code so that only specified people can have access to these pieces of information to prevent their being tampered with. As the previous member pointed out, the current restriction applies to the suspect, the suspect's lawyer, the Police Force, the Director of Public Prosecutions and someone under a direction of the court; of course, we are adding the Parliamentary Commissioner and the ACC to that list. However, under proposed section 570GA, the Supreme Court must be satisfied that there is a good cause for retaining a videotape for more than five years. This Bill will give the ACC the right to retain the videotape for five years, which is a very strong part of the Bill. As parliamentarians, we will continue to insert into existing Acts provisions for modern technology; this Bill does just that. I commend the Bill to the House.

Question put and passed.

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

ADDRESS-IN-REPLY

Motion

Resumed from 9 September.

MR GRAHAM (Pilbara) [7.30 pm]: In the time available to me I will direct the attention of the House to a number of issues relating to my electorate and non-metropolitan Western Australia. There is no better place to start when talking about non-metropolitan Western Australia than with the patient assisted travel scheme. I am rarely speechless in this place, but I was speechless on Thursday last week when the member for Ningaloo asked a Dorothy Dix question without notice of the Minister for Health about proposed changes to the PAT scheme. The minister went on chapter and verse to outline what a magnificent job he had done and how pleased he was to advise that from 1 October this year the PAT scheme reimbursement for people travelling by private car would increase from 10¢ to 13¢ a kilometre. He said that this increase reflected the increased cost of travel and that it would be welcomed by rural and remote residents of Western Australia who are required to travel long distances to access specialist medical services. He then went through the gobbledegook that he had rewritten the manual, which would be made publicly available. He then outlined rather grudgingly the benefits that the scheme makes available to non-metropolitan Western Australia.

What the minister did not say is that the PAT scheme exists for one reason and one reason only. It is not a great beneficial grant to country people; in fact, it is not even a travel scheme. It is a scheme that allows people in non-metropolitan Perth to access medical services that the Government either cannot or will not provide in their area. I stress that: It cannot or will not provide those services in those areas. We know that non-metropolitan residents have the worst health outcomes in the State, and the further one gets from Perth the more those outcomes deteriorate. We also know that the availability of specialists is worse the further one goes from the Perth GPO. It declines markedly once one goes north of the twenty-sixth parallel. I reiterate the point that this is not a scheme that provides the cream of medical care to country people. Some people in the north west travel for a day or two to get to a specialist, not because they want to, not because it is the way they want to travel, but because it is the only way they can travel.

The minister has made a meal of the fact that the rate per kilometre for the PAT scheme would increase. He set up the Dorothy Dix question. Perhaps I am being uncharitable; the member for Ningaloo might have had a bright idea and decided to ask the question. However, the Minister for Health is not renowned for knocking members down with detailed answers, and given that he had an answer, it appears that the question was organised beforehand. That is not an unreasonable conclusion given that the minister also put out a press release on 24 August saying he expected there to be a major increase in the rate per kilometre. He went on to reject the Labor Party's calls for an open and public review of the scheme. It is interesting that he increased the rate from 10¢ to 13¢ a kilometre. Incidentally, if the minister were to travel the same road in his private car to attend to government business, he would claim between 50¢ and 85¢ a kilometre. However, if he were sick and referred for medical reasons, he would get 13¢ a kilometre.

One of the most extraordinary things about this big announcement about "repairing" the PAT scheme is that the minister has not quite restored it to the level it was before the member for Riverton totally destroyed it in 1995. Those members who were in this place then will remember the outstandingly successful Minister for Health - I say that with my tongue firmly in my cheek - slashing the travel allowance available under the PAT scheme from 15¢ to 10¢ a kilometre. When the Labor Party lost government in 1993, the rate was 15¢ a kilometre. Two years prior to that I made a submission to the Labor Minister for Health saying that 10¢ a kilometre was woefully inadequate, and I made that statement public. All the evidence available at that time indicated that, given the distances travelled on the north-west roads to attend medical specialists, 13¢ was pathetic. Seven years later, the allowance has climbed back up to 13¢ a kilometre. It is bizarre that not only would it happen but also that the minister would announce it as a great achievement.

Mr Day: Indeed it is.

Mr GRAHAM: It has not even climbed back to where it was. The minister is great at saying that during 10 years in government the Labor Party did nothing. We made the PAT scheme work. The minister and the member for Riverton tore it to pieces.

I will refer to the budget allocations for the PAT scheme, because the minister played around with them in his press releases,

saying that the Labor Government misled the public. When the Labor Party lost government, the PAT scheme had a budget allocation of \$7.4m. During the last three years it was in power, it allocated \$7.2m, \$7.3m and \$7.4m respectively. During his first year of responsibility for this portfolio area the member for Riverton reduced that to \$6.8m.

Mr Day: And took services closer to the people.

Mr GRAHAM: I will deal with that. The then Minister for Health reduced the PAT scheme funding to \$6.8m with no noticeable improvement in specialist medical treatment in the north west. The minister can check that. The budget was reduced to \$5.9m in 1994-95 and 1995-96, and in 1996-97 it was increased to \$6.8m. What happened in that year? Why did it go up? The member for Albany had become the Minister for Health. He overturned about two-thirds of the decisions made by the member for Riverton. The Government found it had to spend money to restore the scheme to the level it had been before it tried to fix it. In 1997-98, the coalition Government spent \$7.2m on the scheme, and in 1998-99, it spent \$7.5m. In only one year of the time this Government has been in power has it exceeded the funding we allocated to the patient assisted travel scheme before we lost government. It does not matter how the Minister for Health works it out, his Government has never matched the funding apart from in that one year. It is absolute and utter nonsense for him to claim his Government has done anything to the PAT scheme in the north west of this State other than to decimate it.

Mr Day: Most of the patients from the north west who access the PAT scheme end up travelling by air.

Mr GRAHAM: Perhaps the knowledgeable Minister for Health will explain to me how people from Marble Bar travel to the regional hospital in Port Hedland?

Mr Day: I am not suggesting that they would fly.

Mr GRAHAM: They do not fly! How do people from Tom Price and Paraburdoo get to the regional hospital at Port Hedland?

Mr Minson: He did say the majority.

Mr Day: I said the majority.

Mr GRAHAM: How do they get there?

Mr Day: They travel by road I presume.

Mr GRAHAM: They travel by road - there is a surprise! The minister thinks it is perfectly equitable for him as Minister for Health earning in excess of \$100 000 a year to drive down that road on business and claim 75¢ or 80¢ a kilometre travel allowance for his vehicle compared to an unemployed person from Marble Bar who is allowed 13¢ a kilometre. The minister would be travelling for business purposes in a private car and the other person would be travelling in his own car, possibly with a sick infant. The minister thinks it is reasonable he should be paid seven or eight times the amount of money that person would be paid.

Mr Day: Like you, I am provided with a government car.

Mr GRAHAM: If the minister were a public servant and used a private vehicle to travel there, he would, and he would be entitled to do so.

Mr Day: No-one has ever pretended, including your Government, that the PAT scheme was intended to cover all the costs of owning and running a car, including depreciation; it makes a contribution towards the running costs. In particular, with the increase that was announced last week, it will certainly cover the cost of petrol for travelling to appointments.

Mr GRAHAM: So the sole purpose of the PAT scheme is to cover the cost of petrol.

Mr Day: A significant part of the cost of petrol.

Mr GRAHAM: The minister knows that I hold him in high regard as the Minister for Health.

Mr Day: Not in as much regard as I hold you.

Mr GRAHAM: I said when he got the job that I thought he would be as good at Health as he was at the Police portfolio. I was pretty right but I do not think that I will be saying it for much longer. I have said this to every Minister for Health during the decade that I have been in this place: Do not listen to the Health Department's advice on the PAT scheme. Its staff see it as a cost to Government. It is not a cost to Government because the Government cannot provide services in every town in the metropolitan area, so the minister should stop trying to pretend that the Government can.

Mr Day: No-one is pretending that.

Mr GRAHAM: I have asked umpteen thousands of questions about the provision of specialist services in towns. I have demonstrated three things with the PAT scheme: First, the decisions Minister Kierath made in 1995 were wrong. Each successive Minister for Health when coming into the portfolio has confirmed that by changing the conditions and making them closer to what they were when we lost Government. Secondly, I have shown that the changes are based on the rhetoric that the Government will provide improved services in all areas that the PAT scheme serves, and it cannot. Thirdly, I have shown conclusively in debates over the PAT scheme that when the Minister for Health said in 1995 that people were rorting the scheme to get benefits, he was telling lies. There was no evidence to substantiate it.

Withdrawal of Remark

Mr DAY: The member accused another member of this Chamber of telling lies. That is unparliamentary.

The DEPUTY SPEAKER: I ask the member to withdraw it.

Mr GRAHAM: Are you not interested in my point of view before you order me out of line?

The DEPUTY SPEAKER: I heard the member say that the minister told lies. It is not parliamentary to accuse any member of telling lies unless by substantive motion.

Mr GRAHAM: I did not accuse the past Minister for Health of telling lies. I said that he was telling lies with regard to his claims that the PAT scheme was being rorted. I said that my view on that was supported by investigations by the Public Accounts and Expenditure Review Committee and by the Auditor General, which found absolutely no evidence to support his allegations.

The DEPUTY SPEAKER: I thank the member for his explanation but I still rule that he accused the minister of lying and I ask him to withdraw.

Mr GRAHAM: I withdraw. I accept the ruling under parliamentary standing orders.

Debate Resumed

Mr GRAHAM: The third point that I make about the PAT scheme is that the allegations made by the member for Riverton when he was the Minister for Health have been investigated and found to be without substance. In the entire time that this debate over the PAT scheme has been going on, he has not produced one scintilla of evidence to support his allegations - not one. We know officially, because both the Public Accounts and Expenditure Review Committee and the Auditor General asked, that no such evidence exists. From that, people can make up their own minds. Unfortunately the standing orders of the Parliament prevent me from telling the truth.

Moving along from the PAT scheme to the matter of health, it is interesting that the minister interjects constantly saying that the PAT scheme has made people's health better and has resulted in more specialists visiting regions. The changes have fundamentally changed the nature of the PAT scheme. Under the previous scheme, a parallel scheme called the visiting specialists scheme operated and it was aimed at getting visiting specialists into the regions. That scheme no longer exists; its function is now funded out of the PAT scheme, which represents yet a further cut but it is a hidden cut which is not easy to demonstrate.

The beauty of the visiting specialists scheme and the PAT scheme operating in a parallel way, as they did under the previous Government, was that hospital administrators and regional health administrators knew that if they got more specialists into their regions, they would reduce the pressure on the PAT scheme budget. That does not happen any more; there is no benefit to the region if its administrators reduce the budget because the amount gets lopped off. It is ironic that the same minister who announced the fraud on the non-metropolitan public of Western Australia, a year later is still dithering on the Norhealth 2020 plan which was to improve the health of the people in the northern half of Western Australia. As best I can ascertain, to date the plan is unfunded. The minister might jump up, as he is wont to do, and say that I have it all wrong again. I may have it wrong. All he needs to do to demonstrate that I have it wrong is to show where the dollars are; it is quite simple. There is the regional health problem and the regional health program to be carried out, and the money for the Government to fund regional health and its implementation is missing. There are "no bucks". The minister may be correctly saying that it is on his table, but we do not want it on his table; his table is in his office in St George's Terrace. We want it in the health outlets in the north west of the State where it does not exist. The minister has been dithering on this matter for an entire year.

I was going to mention education, but I want to participate later in a full debate on education. However, the essence of it is that in term three of this school year, teacher shortages still exist in Port Hedland. I would love to have a full-blown debate with the minister and explain to him chapter and verse what has happened to the education system. I have been in the north now for 25 years and I have never heard of term three children not having a permanent teacher in their classroom. It is absurd and unprecedented. That is unacceptable, irrespective of the explanations he may have for it. If that were to occur in the metropolitan area it would be fixed with haste.

We are approaching the cyclone season again in the north west and the issue of cyclones arose again at question time today. It is interesting that the problem that I raised in the State Parliament six years ago concerning the transportable buildings in the light industrial area of Port Hedland still prevails, although they have been moved around a bit. It does not seem to be a big deal to anyone outside Port Hedland, but the State Emergency Service and the police agree that it is an unacceptable outcome. The Port Hedland Town Council is at its wits' end trying to deal with it. The Government accepts that it is an unacceptable outcome. However, as the Government has admitted, the legislation it implemented to deal with it has failed. To the Government's credit it paid half the legal bills of the town of Port Hedland, which is better than paying nothing, but it should have paid them all. The legislation is useless. The local authority wishes to tidy up in Port Hedland in preparation for the impending cyclone season, but it has no power to compel people to do that.

When I moved a motion to establish a select committee in this Parliament to investigate cyclones and cyclone procedures, I specifically recommended a term of reference to deal with legislation, powers and authorities to be able to order clean-ups and preparation for cyclones. In his press release the minister rejected my call for a select committee. However, he agreed that the legislation had not worked and indicated that he would introduce emergency services legislation that would fix the problem. He has not done that. It has not been announced in a government speech nor has it appeared on the Notice Paper. There is no such legislation.

I understand some legislation is working its way through the bowels of the public service, wherever that may be. However, that is exactly the position we were in when I asked the member for Wagin in 1996 where the legislation for emergency services was. He said then that it was being drafted and would be introduced in the spring session of 1996. It was not introduced. The Minister for Police and Emergency Services has said the legislation is being drafted and it will be introduced. It has not been introduced.

The Minister for Local Government instigated an inquiry into housing at Exmouth and Onslow. He gave his version of it at question time. I have been briefed by the department on that and have two things to say about it: Firstly, it is bizarre that the workshop to address the issue was held in Broome rather than in the Pilbara where cyclones occur most frequently. Secondly, the report of that inquiry shows clearly that the buildings most at risk in a community are transportable buildings. They are the very buildings that caused this problem in Port Hedland. The state of play in the lead-up to the 1999 cyclone season is this: Legislation is on the statutes that has been rendered useless by vexatious action in the courts. The problem that led to that legislative change is still in place, although it has changed.

The Government has not introduced legislation, but it has accepted that a problem exists and the legislation it has introduced will not deal with it. What is one to do? I do not know. I am at my wits' end trying to get this Government to deal with this matter in any meaningful way. I accept that the poor old Minister for Local Government has other things on his plate at present. We can see the problem and I will recommence the process.

We are in the lead-up to the cyclone season and the Government has been rendered inactive. I will circulate this speech. I understand the minister has other matters with which he wants to deal, such as the timber industry; nonetheless, it is an important matter concerning people's lives. Given that everybody agrees that it is a difficulty, it is not unreasonable to expect the Government to deal with it. It has the numbers. It is not as though it is in opposition and must beat it through both Houses.

If a minister took charge of the legislation and applied himself, it could be passed within a month. At the moment it is almost impossible for the town of Port Hedland to take the necessary action to defend itself from the flying debris that will inevitably result from a severe tropical cyclone. Having experienced cyclone Vance and commissioned a study that brought down a report that points to those buildings as the greatest risk in a town, it is ironic that in the lead-up to the cyclone season the Government is still sitting on its hands.

Amendment to Motion

Mr GRAHAM: I move -

That the following words be added to the motion -

But we regret to inform His Excellency that the scourge of hard drugs such as heroin is hitting our community hard. We call upon the Government as a matter of urgency to give this matter top priority. We note that a response must be broad ranging and tackle the causes of drug abuse but further we call on the Government to allocate the police resources necessary to target and apprehend drug dealers.

MR CUNNINGHAM (Girrawheen) [8.01 pm]: I want to share with members of this House the practice of an elitist and selective zero tolerance drug policy that was successfully implemented recently in Cottesloe. The August 21 edition of the *Subiaco Post* had a front page article entitled "Syringes Dumped Near Drug House". The article told of the arrest of a drug dealer, or, to put it more aptly, a possible merchant of death. I believe that an extremely diligent Neighbourhood Watch assisted in the early arrest of that drug dealer, and I pay my compliments to a leading activist, Lyn Barnett, the wife of the Leader of the House, who has done an excellent job in putting together her troops to expose these people. This man was arrested after police observed him selling drugs to a user. I highlight the fact that the police observed him. It is very important to know that the police observed him. The police placed the dealer under surveillance for a week. The users were also arrested. What a success it must have been to have the police place a known drug dealer's premises under surveillance that led to a successful arrest! The state of the punters in Cottesloe must be one of great excitement and jubilation!

Why was it that a week-long surveillance operation that used vast amounts of local police resources was mounted in Cottesloe, so much so that Claremont Police Station was actually closed for a day on Friday, 13 August, due to police resources being allocated to this surveillance operation? In the suburbs of Marangaroo, Alexander Heights, Girrawheen, Ballajura, Koondoola, Balga, Mirrabooka and surrounding areas, until a couple of weeks ago drug dealers were allowed to operate virtually unhindered and to flourish. Zero drug dealer tolerance is employed to great effect in suburbs such as Cottesloe. That can be contrasted with my electorate of Girrawheen, and surrounding areas, in which there is a strong belief that local law enforcement policy has been drug dealer tolerance.

The heroin drug problem in our suburbs has now reached epidemic proportions. Every third street now has at the very least a person who is dealing in drugs. The effect on the community, and in particular its young people, is devastating. The public does not realise how many of our decent young people are dying. The community is desperate for zero drug tolerance. The community does not want it in a year, a month or a week. It wants it now.

I want to share with members an incident that occurred in my electorate office some weeks ago, when my long serving electorate officer and I were subjected to the most disgusting, filthy and threatening language that I have ever heard from any person since I have been active in politics; and I have been active in politics since I was 17, so it is nearly 45 years. On Wednesday, 25 August, in my electorate office, the vile and filth that came out of the mouth of a woman who was most likely in her late fifties or early sixties was, to put it simply, frightening. Why was it frightening? It was frightening because this woman had knowledge of a telephone call that had transpired between me and a constituent who had recently been released

from jail and was residing at an Outcare flat in Glendalough. The 30-minute telephone call took place some three days before this woman's invasion - because that is what it was - of my office. My constituent gave me valuable information that, when checked out, was supported by numerous people, including neighbours, law enforcement agencies and former drug users. Most of the information I already knew. The invasion of my office confirmed what I had been told by my constituent. I realise that the policy of Outcare is to monitor incoming telephone calls to ex-prisoners under its supervision. Surely it cannot be its policy to listen in on telephone calls and to pass on that information to people who are active in the peddling and supply of drugs and to people with a police record that goes back many years.

This woman who invaded my office is well known in our local area as the "Queen of the dealers". This woman and five other people, whose names I am about to place on record, have been consistently named not only by the neighbours and former drug users, but also by many law enforcement officers over a long time. The person in question who invaded my office and threatened me and my staff is Denise Pearson of 4B Morgan Way, Girrawheen. She is a well-known supplier of hard-core death drugs to that infamous Redcliffe Avenue address, as well as a supplier to Clare Williams of 32 Redcliffe Avenue, Marangaroo, and Robyn Williams of 10A Morgan Way, Girrawheen, all of whom have been brought continuously to my attention and the attention of the police as being local drug dealers. There is also an extremely strong belief that another house of death - I will use those words - like that at Redcliffe Avenue is being supplied by Pearson. That is 36 Muswell Street, Balga, which is occupied by Sandra and Lisa Cleary, a mother and daughter duo who are well known to the police, the courts and people in the drug scene, particularly the heroin drug scene. Sandra Cleary is currently serving a jail sentence after pleading guilty earlier this year to selling heroin.

I want to dwell for some time on the house of death at 36 Muswell Street, Balga. This must be one of the busiest drug outlets in the northern suburbs. This house is near the end of a cul-de-sac that abuts Beach Road, Balga. Beach Road is a well used road between Marmion Avenue and Alexander Drive. This evil house of death is known to have had many drug-related deaths since 1996. Some of the heroin users at Muswell Street overdosed at that address, and their bodies were dumped at two different local shopping centres.

Ms MacTiernan: Taken from the house by the people in the house and dumped?

Mr CUNNINGHAM: Yes, that is right; they were dumped. The Clearys have extremely close links to a convicted heroin trafficker, Paul Musarri, who had links to both Geoffrey Chambers and Kevin Barlow, who were hanged in Malaysia in 1986. Paul Musarri belonged to a drug ring that convinced a so-called businesswoman to smuggle \$5m worth of heroin from Penang in the early 1980s. Musarri was given a 15-year jail sentence as a result of heroin trafficking in August 1983. Coincidentally, once again he has come to the notice of law enforcement officers in the State in the past few weeks. Judge Kevin Hammond, when sentencing Sandra Cleary, who was also imprisoned in 1994 and 1995 for drug offences, said that Cleary was an important link in the heroin distribution chain. The Clearys, unlike the other woman I mentioned, are well up the so-called drug food chain. These women continually re-offend and seem to be totally immune from any law enforcement agencies.

This house of death has a fortress-like wall, heavy grilles on the doors and windows, and highly sophisticated police scanners. The community find it hard to believe that only a few minor raids have occurred on these premises over the past four years. Business carries on as usual and is unhindered by law enforcement agencies. It is a strongly held belief in the community that there is an underground hideaway for the storage of drugs at 36 Muswell Street. What have law enforcement agencies done to check that? Nothing.

Ms MacTiernan: Why is that?

Mr CUNNINGHAM: I will continue and it will become apparent. I happened to visit the street while doorknocking on Wednesday, 25 August, two hours after the woman had invaded my office. I observed first-hand that in the space of only 40 minutes, between 12 and 14 cars visited the premises at 36 Muswell Street between 12.45 and 1.25 pm.

Ms MacTiernan: Obviously a very popular lady.

Mr CUNNINGHAM: I do not believe so. I do not believe for one second that the occupants of the cars were there for a social visit.

Mr Day: Have you discussed this with the local police superintendent, for example?

Mr CUNNINGHAM: I have gone much higher than that.

Mr Day: Are you saying that you are dissatisfied with the response from the police?

Mr CUNNINGHAM: No. I am just putting them on notice. Let me finish and the minister will understand what I am coming to. While I have breath in my body, I will continue to speak in this place and do what I am doing tonight. I do not believe that the evil history of this house of death has been put through any scrutiny.

Ms MacTiernan: I am surprised that the minister is attempting to defend it.

Mr Day: I am not in any way attempting to defend it; I am simply asking a question.

Mr CUNNINGHAM: This evil house of death was reported by a highly respected journalist, Luke Morfesse, who wrote a series of articles in *The West Australian* in early 1997. Today he is the editor of the "Big Weekend" section of *The West Australian*. He did a brilliant job on that exposé of the drug dealers, especially heroin drug dealers, in 1997.

These vile, disgusting low-life are openly showing complete contempt for the police and the local community. In Cottesloe,

which is a much different suburb, the police acted and arrested a drug dealer as a result of actions by Neighbourhood Watch. In my electorate the law enforcement agencies definitely move at a snail's pace. At other addresses in my electorate and surrounding areas there is a great deal of activity in the peddling and distribution of drugs, and they have immunity. I will mention three addresses from which the people have been arrested: They are 35 Ellenbrae Place, Marangaroo, where someone was arrested last week; 18 Hythe Road, Marangaroo, where someone was arrested three weeks ago; and 43 Steedman Loop, Mirrabooka where someone was arrested in early August. I will leave the other addresses for the time being, but next time I will include those.

Mr Day: Are you saying that the police have followed up on the information given?

Mr CUNNINGHAM: At three addresses, after the public meeting. I do not have time to give the other addresses, so they have been saved.

In Cottesloe, however, the police act decisively. I am amazed at how the Deputy Leader of the Liberal Party, in the electorate of Cottesloe, can wave his magic wand and clear out these low-life leeches, while the member for Girrawheen, who represents a different class of person, has far fewer resources allocated to his electorate.

Mr Day: That is ridiculous.

Mr CUNNINGHAM: It is not ridiculous; it is true. People in the electorate of Girrawheen, and the neighbouring electorates of Wanneroo and Ballajura, have been in total despair in the struggle against the spread of hard-core drug agents in their communities. They are getting away with murder, in more ways than one. I advise those members who may doubt that there is an epidemic that my file on drug dealers and their activities has grown on a daily basis in the past couple of months. Information is brought to me by despairing members of the community, and my own investigations have been a blight on the drug enforcement agencies. This is tragic, and it costs the lives of young people in the community.

Over the past couple of weeks there has been a small ray of sunshine, as the police have made three arrests following a very successful community meeting organised by the federal member for Cowan, Graham Edwards, and me. That meeting was attended by 320 people. Senior police, for the first time, saw the hurt, despair, anguish and desperation of our community. Much more action is needed from these law enforcement agencies. As promised at the meeting, a candlelight vigil will be held on 10 October.

The naming of these heroin drug-dealing scum in the community cannot be carried out by one or two people. All of us have a responsibility to seek out, expose and remove, once and for all, these drug-dealing leeches. It is the responsibility of each and every one of us. All members receive complaints; I receive complaints and at least I do something about them. I do not hear about many members from the government benches doing anything about it.

It is extremely frightening because these drug peddlers operate in every third street in every suburb throughout the community. That is not exaggerating the situation. In the simplest form, these people are peddlers of death. We all know these people exist. We all have desperate and despairing constituents who, over many years, have bravely provided us and the police with information and the addresses of these low-lives. Nothing is done. We in Western Australia are so far behind the eight ball in the fight against drugs. The activities of drug enforcement agencies in their dealings with the infamous Clearys of 36 Muswell Street, Balga, the Williams of 32 Redcliffe Avenue and 10A Morgan Way, and the Pearsons of 4B Morgan Way are a disgraceful indictment of our law enforcement agencies.

What we do in the coming days and months will decide the fate of these drug dealers and, in turn, the fate of the community and its young people. Now is the time to act swiftly. This may seem a desperate measure, but in desperate times, one does desperate things. I assure members that these are desperate times.

MR KOBELKE (Nollamara) [8.20 pm]: I will speak briefly to the amendment [8.20 pm] moved by the member for Pilbara and spoken to so well by the member for Girrawheen. I commend the member for Girrawheen for having the courage to take up this issue in such a forthright way. The member's electorate has a boundary with mine. Although the problems do not seem as severe in the electorate of Nollamara, I am aware of the problems. In fact, one or two months ago someone complained to me about a property in the area just across the border in the electorate of Girrawheen at which drug dealing was going on. I wrote to the local police explaining that neighbours had suggested that there was a problem in the hope that the police would investigate. What happens so often is that the problem just continues. In some cases I have written to the police, given the address of the property and pointed out the problem. I have received a reply and a few weeks later the neighbours have informed me that the people had moved out and the problems no longer seemed evident in their area. On other occasions the problem just seems to continue. We have reached the stage at which something must be done. It is not easy. The causes of the problem are complex and the solutions, therefore, will not be simple ones. However, we can not allow this canker on our community to fester and grow. It is getting out of control in so many areas. For people like the member for Girrawheen and the citizens in his area who have supported him to take a stand is of great importance and we must deal with this problem. The member for Girrawheen would be the first to admit that he does not have the solution to the problem, but he is not willing to give up. He wants the matter addressed and, in part, he and the concerned citizens in his area will address it and apply direct pressure to the drug dealers who are haunting the streets of our suburbs.

In addition, his actions will put pressure on the Government to ensure that this problem is not swept under the carpet and that it is addressed in a more thorough way. It is almost commonplace now to find needles lying around shopping centres, parks and even school grounds. I am not suggesting that the students are using them, but other people are using needles to shoot up and do hard drugs in our school grounds after hours, and the needles are left there. That raises a whole series of health issues for the children attending those schools. Unfortunately, this is no longer something that just happens on the rare occasion. In some areas it is becoming commonplace. For the Premier to suggest, as he did in this place a week ago,

that we should not consider the setting up of shooting-up galleries - I am not saying that they are a solution - is turning a blind eye to the public shooting-up galleries that are in so many suburbs of Perth. People are taking hard drugs in public places and not just on the odd occasion. We watch and listen to continuing news reports of deaths from drug overdoses and the range of crime problems that beset our suburbs, which are clearly attributable to the drug problem; yet the problem is getting worse.

I commend the member for Girrawheen for taking on this very difficult issue and for taking such a brave and strong stand. I know that that has meant that many of his constituents have been willing to support the actions that he and the people in his community are taking. Although it is not the solution, it is an important and positive step towards ensuring that action is taken in this area and that we do not continue to walk away from the drug problem. We try to put forward soft options of how we might solve it and in the end we make no progress at all and the problem continues to be a canker on our community, which we must excise. We must ensure that we take the actions required to see a reduction in the drug problems in our society.

MRS PARKER (Ballajura - Minister for Family and Children's Services) [8.24 pm]: I will respond to the issues and to the amendment as presented by the Opposition. Certainly on this issue there is clear agreement that drugs and the abuse of drugs in our community present a difficult problem for all of us - not just for the Government, but for parents and individuals as well. No-one is really immune to the problems of drug abuse. There is good and strong agreement by everyone in this House in that regard, and that is shared by everyone in the community. This amendment to the Address-in-Reply calls upon the Government as a matter of urgency to give the drug abuse problem, particularly heroin, top priority. It notes that a response must be broad ranging and that we must allocate more resources, particularly police resources, to targeting and apprehending drug dealers.

I will deal with a couple of issues which are mentioned in this amendment. Firstly, it calls upon the Government to deal with the problem of drug abuse as a top priority. This Government, particularly with the initiative of the Premier's Task Force on Drug Abuse in 1995, for the first time looked at the problems associated with drug abuse, how broad the problems were in the community and what response was needed to deal with this issue, not just by government, but by the whole community of Western Australia. Far before it became a political issue, the Premier established that task force. It reported in 1995 and made a number of recommendations, and early responses were established. In 1997, I was appointed by the Premier to take on responsibility for the drug abuse strategy. For the first time, one minister had the responsibility to coordinate a response across government. It would not be seen as an issue that demanded a singular response by police, but that the drug abuse problem impacted on a range of government agencies as well as on the community, and we needed a broad-ranging response. For a number of years, this Government has treated the response required to the drug abuse problems in our community - we must include alcohol and tobacco as well as the illicit drugs in this response - as a matter of top priority.

The next issue mentioned in this amendment is that the response must be broad ranging. One of the hallmarks of the Government's "Together Against Drugs" strategy released in mid-1997 is that, for the first time, it is a coordinated across-government response. It includes responses and commitments made by the Police Service, the Health Department and a range of other agencies. It establishes for the first time the Western Australian Drug Abuse Strategy Office, which has the responsibility to coordinate a broad-ranging response across, for example, the Police, Justice and Health departments, and other activities including treatment services and non-government agencies.

Mr Riebeling: Has the number of overdoses increased or reduced in the past two years?

Mrs PARKER: The number of deaths due to overdoses peaked in 1997. I cannot provide the latest figures on overdoses. This State experienced a peak in the rate of deaths in 1997, and a reduction in 1998 against the trend in other States. The final figure for this year will not be available until coronial determinations have been concluded. However, against a great increase in the supply and purity of heroin and worldwide and national trends, this Government is very committed to continuing to decrease the number of deaths. It is also committed to decreasing the use of other drugs, such as cannabis, and battling the abuse of alcohol and the rate of tobacco use.

This amendment calls for a broad-ranging response. As I said, the Together Against Drugs strategy is the first time we have had a broad-ranging across-government response.

Ms MacTiernan: The response is no good. The package you are all coordinating is no good; it is hopeless.

Mrs PARKER: The member for Armadale exhibits a lack of information or she is in denial.

Ms MacTiernan: Tell us about the performance indicators.

Mrs PARKER: The performance indicators are best dealt with by reference to the latest Australia-wide assessment by 200 professionals working in the alcohol and drug field. They have assessed every jurisdiction, including the Territories, across a whole range of performance indicators. Of all the States and Territories, only the Northern Territory and Western Australia have a positive rating.

Ms MacTiernan: Who did this report?

Mrs PARKER: It was done by 200 professionals. I have tabled the report in Parliament, I have made a ministerial statement and I will ensure the member gets a copy of the report tomorrow. I am sorry that I do not have a copy now.

Ms MacTiernan: Is this like the Minister for the Environment's 500 scientists?

Mrs PARKER: Absolutely not! The member will be disappointed. The assessment, undertaken by 200 independent

professionals in the field, has been done for a number of years. This is the first time that a full year of the Together Against Drugs strategy has been factored into the assessment. Although the Government believes that there is no room for complacency, that there is always room for improvement and is committed to expanding its response, it has been heartening to have an independent analysis of the strategy and an acknowledgment that its focus is clear. This State was recorded as having the highest performance indicators in the country in its drive to prevent drug abuse and in the clarity of its strategy and its goals. However, the real acknowledgment is that it is broad ranging.

The critical issue is that the Government has said repeatedly that it will never solve this problem alone. Clearly, this is not something that Governments can solve singlehandedly. The drug abuse problem is complex and it requires a multifaceted approach. This Government has such an approach in place. The strategy must include a response from the community.

Mr Cunningham: I said that ages ago.

Mrs PARKER: We certainly need a community focus. A number of members of Parliament have been directly involved in working with the community in establishing local drug action groups and working with service clubs. I mention in particular the Rotary clubs throughout the State, which have been the backbone of many of these groups

Mr Cunningham interjected.

Mrs PARKER: I appreciate the member's level of concern. The member for Swan Hills has been actively involved in establishing a drug action group in her electorate, which has worked very diligently. I recently visited one of the communities in which the local people have got together and taken action. It has a business drug awareness program in place and 30 businesses have signed a code of conduct dealing with a range of drug-related issues.

Mr Cunningham: That is motherhood stuff!

Mrs PARKER: It is important that the community be involved. People want to get involved. They say that enough is enough, that they do not want this activity in their community and that they want to do something about it. I am very proud to say that our local drug action groups around the State have been responsible for some significant initiatives. The business drug awareness program was an initiative of the Willetton Drug Action Group. It came up with the idea and brought it to the Drug Abuse Strategy Office, and from there it was developed as a statewide initiative. Mums, dads, grandparents, business people and young people are getting involved in community action. People are saying that drug abuse is not the type of activity they want in their community and they are prepared to take action.

The Government has a broad-ranging policy, and that has been acknowledged by 200 independent professionals across this country. I will make that information available to the members for Armadale and Girrawheen.

The Government has significantly increased the resources allocated for treatment. People now do not have to wait for treatment. A wide range of treatments is available through the Health Department and a range of community organisations. The Minister for Health has talked about the department's Next Step facility, which now includes trialling different treatment methods to offer those with a drug abuse problem a range of treatments. We know that no one treatment suits all needs. This Government has made a strong commitment to policy development, and that has been acknowledged. Resources have been allocated to eliminate waiting lists, to extend the range of treatment options and to ensure that help is available.

One of the essential steps has been the introduction of early intervention and support strategies, particularly for parents when they first become aware that their children are having a problem or when they are concerned about their children's drug use, whether it be an illicit drug or a legal drug.

I had the pleasure of visiting Northam a week or so ago to launch the eleventh community drug service team, which was funded jointly by the State Government and the Commonwealth Government through its Tough on Drugs strategy. The Government recognised the 10 teams that had been established - four in the city and six in country regions - and acknowledged that there was pressure in the wheatbelt. I commend the member for Northam's representations to me about the pressing issues in his community. When the Prime Minister announced the tough on drugs strategy and its budget, the State Government lobbied for the opportunity to present its view about the priority areas in Western Australia. The wheatbelt was nominated as needing extra funds. The result was the establishment of the eleventh community drug service team. It is a very fine group of people, including some very energetic police officers.

Mr Cunningham: You are very lucky!

Mr Trenorden: It was a lot of hard work to get the community involved. People do not like talking about drugs.

Mrs PARKER: A couple of different activities are happening in Northam as a result of some of the initiatives of those police officers. We do not often give bouquets to the people involved; however, the member for Avon may certainly convey one to them. I was very impressed by their level of energy.

Mr Trenorden: Unfortunately, like most other places, we have a problem.

Mrs PARKER: That is right. We certainly do not imagine that the problem has been solved. We have said that there is no magic wand for this; there is no room for complacency; there is no quick fix. The drug abuse problem is complex. Nobody in this place would pretend the problem is simple to solve. It is difficult to establish indicators of success if we want to have a look at something like our heroin death rate. In the very first instance, I would say that any loss due to a fatal overdose is one too many. However, against the trend, Western Australia has been able to stabilise the figures. Last year this was the only State to reduce the loss.

Several members interjected.

The ACTING SPEAKER: Order!

Mrs PARKER: I want to throw a challenge to the member for Girrawheen. He has very strong and conservative views on this subject. I have no objection to his raising the drug issue and I admire his level of concern. Does the member for Girrawheen support his party's policy for the next election of having heroin available on prescription to addicts and a shooting gallery established in Perth when we do not have an open using scene? The real point of issue on which I would like an answer from the member for Girrawheen is whether he believes in and supports his party's policy of having five plants of cannabis available for cultivation and use by every adult in every home across this State.

Several members interjected.

Mrs PARKER: That is the Labor Party's policy. The member is talking about the drug problem. Cannabis is a serious contributor to the overall problem.

Ms MacTiernan interjected.

Mrs PARKER: The member for Armadale does not like this and the member for Girrawheen will not answer my question. The five plant policy is every parent's nightmare. In South Australia, the 10 plant system became a drug dealer's dream. People were able to keep one plant for their own use and arrange with a local drug dealer to become part of a syndicate.

Several members interjected.

The ACTING SPEAKER (Mr Barron-Sullivan): Order! I realise the members for Girrawheen and Armadale feel strongly about this matter but I ask them please to hold back their continuous stream of interjections so that we can hear what the minister is saying.

Ms MacTiernan: She is asking us questions.

The ACTING SPEAKER: The member for Armadale will please come to order.

Mrs PARKER: The member for Girrawheen has not answered the question that I asked him. The Labor Party and its members will have to answer this question when they go to the next election with this policy on drug use. My firm belief is that this policy of the ALP will make the drug problem worse. In South Australia, nothing other than a fine of \$150 was imposed for the possession of up to 10 plants. The ALP does not want any penalty at all. It wants to allow five plants per adult. The police in South Australia have informed me that when 10 plants were allowed there, backyard growers were able to make between \$50 000 and \$80 000 a year from their spare room or their garden shed because they could grow enough cannabis for their own use and sell the rest to a syndicate. It became a major problem; it became a drug dealer's dream.

The ALP's policy on drugs will make the problem worse. I look forward to going to the election with the Labor Party holding onto its policy because we will debate it in a public arena any time, anywhere. This Government has given the response to drugs top priority. Its policy is broad-ranging and we have committed resources to ensure that we can respond and continue to develop our response. We oppose the motion.

MR RIEBELING (Burrup) [8.45 pm]: I did not intend to speak on this debate, but the minister for drugs strategy incites people to want to respond to the drivel that she utters. For this Government to claim it has a coordinated approach to the heroin death problem is a farce. It has no response; all it does is supply ambulances with drugs to try to stop people dying from overdoses. I am told by people in the health service that the number of drug overdoses in Western Australia has increased massively, particularly in the metropolitan area. The death rate has decreased but that is because of the advent of better drugs to counter the awful effects of a drug overdose.

Mrs van de Klashorst: It is also better education.

Mr RIEBELING: It is not better education. We could produce a thousand magazines but they would not stop what is happening on our streets. We are killing kids at an alarming rate in Western Australia. We close our eyes to it and say we have a coordinated approach to it and therefore all is well. This minister cannot even tell us how many drug overdoses we have in Western Australia. She says that we have a coordinated approach but cannot tell us the information on which she bases her startling revelations.

The member for Girrawheen has told the minister of the disastrous situation in his electorate. How did she respond to it? She said that all is well and that the Government has a coordinated approach. She said that the Government will tackle the smoking of cannabis and that that is the big problem. The Labor Party has a view on that which I support absolutely. The minister can tell everybody that. I do not support the minister's policy on heroin because she does not have one. She has put her head in the sand and said that the problem will go away. She has said that the Government will produce another couple of pamphlets and tell people that they should not take heroin and that will solve the problem. It will not solve the problem. In Marangaroo, drug dealers are out of control to a point at which the member for Girrawheen must risk his safety to tell the minister about what is happening on the drug scene. This is the minister responsible! She did not know about it! She has said that the Government has a coordinated approach but the member for Girrawheen has risked life and limb by naming drug dealers. They are not the friendliest people on earth. He did not make an easy decision to do that. The House should support the motion that he has put forward to show that we are serious about drugs and tell the community that it is a crisis that we will tackle.

Mr Cowan: Why not deal with this tomorrow in private members' business?

Mr RIEBELING: Why not deal with it now? This is an opportunity to do so. I do not wish to debate this matter at any great

length, other than to say that it is frustrating for me that the Government continues to say that it has a solution to the problem when it clearly does not.

MR DAY (Darling Range - Minister for Health) [8.50 pm]: Everybody in this place agrees that we need to take strong and effective action against people who are involved in drug dealing in our community. No-one would disagree with that. The Government and I are of the view that we should take every reasonable measure we possibly can to bring to account, and to justice, people who are involved in drug dealing, particularly the serious drug dealers in our community.

Mr Cunningham: Then you start naming them.

Mr DAY: The member for Girrawheen has taken the significant step of naming a number of people he alleges are involved in serious drug dealing. At this stage, I will not condemn him for doing that. On the other hand, I want a lot more evidence before I am convinced that what he has done is the most appropriate thing. There are always two sides to these stories. I want to hear the police argument in response to member for Girrawheen's statements. I have no doubt there is a lot more to the stories that he has raised in the House tonight. I have said that I will not condemn him for doing what he did; however, in the absence of the Minister for Police, I can say that the Government will want to hear what the police say in response to these issues. I hope that the member does everything he reasonably can to put all the information that he has made available here tonight before the Police Service so that it has every opportunity to take appropriate and effective action. It must be realised, and I am sure that people such as the member for Armadale would agree, that police need to be convinced they have evidence that will convince a jury that somebody is guilty beyond all reasonable doubt before they can charge someone with an offence. The reality is that unless that sort of evidence is available, the police cannot take action to bring somebody before the courts.

Ms MacTiernan: You did not worry about that in Carmen Lawrence's case.

Mr DAY: If I were the member for Armadale, I would not talk too much about that case.

Ms MacTiernan: The Government spent \$4m on a royal commission to try to convict a member of Parliament.

Mr DAY: We are talking about a serious issue of drug abuse and drug dealers in our community and I am making some serious comments.

Ms MacTiernan: There are people dying and the Government cannot put police resources into investigating it. Maybe we should set up a royal commission into this house of death.

Mr DAY: This Government has done more than any other to bring these sorts of people to account. The police have been given the appropriate resources to do the job. The Police Service has a higher budget than it has ever had to take action against these sorts of people.

Mr Cunningham: It is not doing it.

Mr DAY: This Government introduced and passed legislation in this Parliament - not always with the complete cooperation of the Labor Party - to give police additional powers to act against these people. The telephone interception legislation was put through when the member for Wagin was Minister for Police. Telephone interception is now possible in Western Australia. No doubt this is being undertaken against people mentioned by the member for Girrawheen. When I was Minister for Police, the Government introduced the Surveillance Devices Bill. I remember some lengthy debates in this House. I do not think that we got past clause 3 before the end of 1997 because of the Opposition's obstructive attitude at that time. Ultimately, the Bill passed both Houses. I am pleased that it is now in effect. It is another very important piece of legislation that gave the Police Service the powers it needed to use optical, auditory and tracking surveillance devices against the sorts of people referred to by the member for Girrawheen.

Mr Cunningham: Why isn't it working?

Mr DAY: Work is being done to prepare covert operations legislation, which is another important area. The Attorney General is also working on additional assets confiscation legislation so that effective action can be taken against some of the people who have been referred to tonight. When I was Minister for Police, I initiated a couple of meetings with the Federal Government - the Commonwealth Attorney General and the then Minister for Customs. I did this so that we could get a cooperative and collaborative approach between the Western Australia Police Service, the National Crime Authority, the Australian Federal Police and the Australian Customs Service. I am pleased to say that a very good relationship was built up between those four agencies. I have no reason to believe that such a cooperative and effective relationship is not continuing. The State Government has certainly put its money, and its actions, where its mouth is. It has done everything it can to bring to account the sort of people the member for Girrawheen has mentioned.

We have also done a great deal through the Health portfolio, bearing in mind that we need effective law enforcement action against drug dealers. There need to be effective education programs in the community and effective treatment programs. Through the Health Department's drug Interaction program, a lot of additional resources have been put into expanding the provision of treatment services throughout the community. In particular, additional training has been provided to clinical personnel operating in hospital emergency departments so that they can provide more effective treatment to people suffering from overdoses. Narcan has also been made available to ambulance officers so that they are in a position to effectively reverse the effects of heroin overdoses. Many cases have had a positive outcome.

Mr Riebeling: How many?

Mr DAY: How would we know how many overdoses there are in this State?

Mr Riebeling: How many Narcan treatments have been used in the past year?

Mr DAY: I can tell the member how many fatalities have resulted from heroin overdoses.

Mr Riebeling: Why is the minister unable to tell us how many overdoses there have been?

Mr DAY: Obviously I do not have that information here tonight but I am sure we can get that from St John Ambulance Australia. For the member for Burrup to ask that is nothing more than a stunt.

Mrs Parker: I will get the information.

Mr DAY: The minister responsible for the drug strategy has just indicated that she will get that information for the member for Burrup.

The Opiate Overdose Program has been established by this Government to educate people about what they should do to assist somebody suffering from an overdose. There is also the Save a Mate campaign whereby opiate users, and other drug users, are given advice about how to resuscitate their friends or acquaintances if they are faced with an overdose situation.

This Government has done a great many other things. For example, the methadone program for treating heroin addicts now has no waiting lists. We have also expanded the program through the Central Drug Unit in William Street, although it will be moving to East Perth when the building is completed. The methadone program is also provided through a number of general practitioners and pharmacies in the community. This Government is not involved in grandstanding. It is getting on with the job by putting in the resources to better provide treatment in the community and equipping our law enforcement agencies to do the job.

Alternative treatment programs are being trialled and funded through the Health budget. Some funding has been made available to Dr George O'Neil's naltrexone trial to assist in what he is doing. Further funding will be made available once his program is established in the context of a properly supervised clinical trial. The latest information I have is that effective progress is being made in setting up a trial with the Department of Psychiatry at the University of Western Australia to oversee what Dr O'Neil's program is doing. In addition to that, Next Step, the Government's specialist drug and alcohol treatment agency, is making other funding available through the Health Department to trial the use of naltrexone to monitor its effectiveness in maintaining people who have withdrawn from methadone as well as heroin.

Naltrexone is also available through Next Step at no cost to people who cannot afford to purchase the medication. That is another new program, albeit a fairly expensive one for our Health budget; nevertheless, it is important in providing better treatment for those who need it. In addition, funding is being made available to trial the use of buprenorphine to monitor how well it will assist people in the maintenance of withdrawal from methadone, alcohol and heroin addiction. As I said, the Government is putting both its money and its efforts where its mouth is rather than grandstanding. We oppose the motion.

Amendment put and a division taken with the following result -

Ayes (18)

Mr Brown	Mr Grill	Mr McGowan	Mr Ripper
Dr Constable	Mr Kobelke	Ms McHale	Mr Thomas
Dr Edwards	Ms MacTiernan	Mr Pental	Ms Warnock
Dr Gallop	Mr Marlborough	Mr Riebeling	Mr Cunningham (<i>Teller</i>)
Mr Graham	Mr McGinty		

Noes (26)

Mr Barnett	Mr Day	Mr Masters	Mr Trenorden
Mr Barron-Sullivan	Mrs Edwardes	Mr McNee	Mr Tubby
Mr Bloffwitch	Dr Hames	Mr Minson	Dr Turnbull
Mr Board	Mrs Hodson-Thomas	Mr Omodei	Mrs van de Klashorst
Mr Bradshaw	Mrs Holmes	Mrs Parker	Mr Wiese
Mr Court	Mr House	Mr Shave	Mr Osborne (<i>Teller</i>)
Mr Cowan	Mr Marshall		

Pairs

Mrs Roberts	Mr Kierath
Ms Anwyl	Mr Prince
Mr Carpenter	Mr Johnson

Amendment thus negatived.

Motion Resumed

MR RIEBELING (Burrup) [9.04 pm]: I have a number of issues which are important to members and which affect people in remote areas. I am pleased that the Minister for Health is here, although he may think that he has had a bad run of things lately. The main topic I wish to discuss is within his portfolio; that is, the level of health and health services provided to the people of Burrup.

The minister recently announced a major review of the patient assisted travel scheme and that from now on people would receive a staggering 13¢ a kilometre when travelling to specialist services that were not available near their place of residence! He also said in his press release that there had been public involvement in the review and that shortly, I think on 1 October, an announcement would be made about changes to the guidelines of the PAT scheme. People in my electorate are wondering who has been consulted about the changes that will be put in place. I recently conducted a survey in my electorate to ascertain what shortcomings in the PAT scheme the people in my electorate want the minister to know about. Can the minister advise me by interjection how the review gathered public opinion about the PAT scheme that he announced, I think, several weeks ago?

Mr Day: There has not been a full-scale review of PATS. The guidelines have been rewritten to make it clearer and to remove some of the ambiguities that existed.

Mr RIEBELING: What public input was the minister referring to?

Mr Day: People write letters to me as Minister for Health and no doubt feedback has come from the various health service managers and other staff who deal with the scheme. Perhaps some people have taken notice of what you have said.

Mr RIEBELING: The minister referred to health service managers and letters written by people. I gather that submissions were not formally called for as part of the review.

Mr Day: I just put it in the appropriate context for you.

Mr RIEBELING: The people of my electorate thought that in his announcement the minister was referring to that type of public consultation. It is of great concern that a number of specialist operations are not accessible under the PAT scheme. If the minister is still redrafting the guidelines for the system, I hope he will listen and include a couple of services that he and the people in my electorate know should be covered by the scheme.

I refer particularly to orthodontic services that people in metropolitan Perth can access daily; yet, after one letter from the minister, people in the Pilbara were told that they should wait until they reached an older age before undertaking procedures. He said that it is possible to undertake orthodontic procedures at a later age. An answer such as that only indicates to the vast majority of people in the Pilbara that he does not live there. It shows that he has no comprehension of the problems that parents of children who require orthodontic services must go through in the Pilbara region, otherwise he would be trying to alleviate the problem. His answer was that basically it is too expensive to contemplate. What does that mean to the people of the Pilbara? Does it mean that their children should not have access to the same services as children in the metropolitan area? If that continues after the release of the new guidelines on 1 October, the minister and his Government will stand condemned. He knows about the problem, and people have written to him and his predecessor about it on numerous occasions. It should be addressed in this review.

Mr Day: How do you suggest funding the provision for PAT for all the people who may need orthodontic treatment?

Mr RIEBELING: Out of the Health budget.

Mr Day: What programs would you take it from to allocate to them?

Mr RIEBELING: I will tell the minister. He recently answered a question on notice saying that the cost of instruments used in operations is not a problem because that cost is covered by the health system.

Mr Day: You were asking about the cost of some pins and screws, and I gave the cost. I agree that they are expensive.

Mr RIEBELING: The last part of the minister's answer stated that these instruments were covered by the national health system and, therefore, the minister could not understand why the questions were being asked.

Mr Day: Absolute rubbish. You are deliberately misinterpreting it all.

Mr RIEBELING: I am not deliberately misinterpreting. The minister should read his answer and the letter he wrote in response to the same query. It is beyond me how he can justify expenditure of \$90-odd for one screw. I do not know how he can justify the cost of \$300 for a piece of stainless steel, three inches long.

Mr Day: I do not like it any more than you do. You go and tell some of those patients about it.

Mr RIEBELING: I am telling the minister where money can be saved to be put into the PAT scheme. In no other industry would people survive by making the equipment used in medical procedures so expensive. If anyone went into the manufacture of screws, nuts and bolts and charged those types of prices, they would be out of business within a day.

Mr Day: Do you want them to go to the hardware store and buy some nuts and bolts to stick into people?

Mr RIEBELING: No, but it is excessive to pay \$90-odd for one screw.

Mr Day: You are blaming the Government for the cost of some of the implants that are needed.

Mr RIEBELING: The minister asked me how I would find extra money for the PAT scheme if I were in his position. I said he should look at the huge cost of operations that he seems not to worry about because it is covered by the health system. The minister suggests that the Government will keep paying those costs. Most people do not worry about the bills for their medical treatment because they are paid by Medicare, HBF and the like. They do not pay the bills, and that is the real problem with the health system.

Mr Day: Most of these things are used on public patients in this State, and the cost comes from our Health budget. Of course I am concerned about the cost.

Mr RIEBELING: Perhaps the minister should not have asked me how I would find the extra money. I would look at the cost of the most expensive procedures, which are the operations. If the minister cannot find someone who will produce screws for less than \$90, perhaps he should look somewhere else.

Mr Day: You are saying we should find a cheaper way of doing operations.

Mr RIEBELING: Yes.

Mr Day: Good. I am glad you think along those lines.

Mr RIEBELING: Then the money can be put into the PAT scheme and when children in the Pilbara need orthodontic treatment, they can access it. That is all we ask.

Mr Day: Do you think we should find more efficient and effective ways of running the metropolitan health service?

Mr RIEBELING: I think the Government has done a lousy job so far.

Mr Day: Do you think we should do that?

Mr RIEBELING: Yes, I do. I do not know whether that is a trick question. All we are asking in the Pilbara is for the children living in that area to have equal access to services such as orthodontic treatment. The other area of dental treatment covered by PATS is another problem. That involves children who require transportation to Perth because they need a general anaesthetic for dental extractions that cannot be done locally.

I raised in this place the example of a young child from Tom Price who had not qualified for PATS, so the parents took her to Perth at their own expense. The specialist in Perth told the parents that if they had not gone to that expense at the time, the child would have developed blood poisoning. The PAT scheme is such that had the child developed blood poisoning, she would have qualified for assistance but at the time the assistance was sought the child was not sick enough to qualify. I hope that sort of anomaly is properly addressed in the review.

I raised another example in this place two weeks ago of a man who was given permission to accompany his wife, as an escort, on the return journey from Perth to Karratha after she had undergone a caesarean section. The problem is that the rules stated that he could not travel to Perth before the birth of the child, because his role as an escort would not be required until after the operation when his wife returned to Karratha. It would not have cost the department any more money for him to have travelled to Perth before the birth, but the rules would not allow that. Therefore, he travelled to Perth after the birth to escort his wife home. That is crazy stuff, and members can imagine how people in my electorate view a system in which madness such as that prevails. It is not logical to tell a man that he cannot accompany his wife to Perth before the birth, even though she may benefit from his support during the birth at a time of extreme anxiety. There were complications in that birth, and it was much more traumatic than had been anticipated. My information is that the husband would have been of substantial benefit to the wife had he been allowed to travel at an appropriate time.

On a weekly basis at least, it is necessary to create a new PATS file in my office because of a complaint about some crazy decision. The PATS clerks make the correct decisions on the basis of the guidelines. Therefore, the people in my electorate hope that the rewriting of the guidelines is not an attempt to be clever and cut more money from the system, or an attempt to deny genuine people access to the system. If the rewriting is basic and simple, and will provide, firstly, that where medical treatment is not available in an area, the PAT scheme will get patients to that treatment and, secondly, that if the treatment is not available in a timely manner, the PAT scheme will get people to the treatment they need at the appropriate time. If those two are the key to the amendments, I will support and applaud the new guidelines. If that is not the case, it will be a major election issue at the next election.

In my area the Government will lose in that area remarkably badly. When the member for Riverton was Minister for Health he said in this place that people were abusing the system and that was the reason for cutting the funding to PATS. There was an outcry from me and the member for Pilbara when that claim was made. Subsequently the minister could not produce one example of people cheating the system. People do not cheat or rort that system. It is valued by people in the Pilbara, and they cannot understand why the patient assisted travel scheme does not assist them with numerous and varied medical problems. It needs to be flexible enough to allow people reading the guidelines to recognise an unusual problem or a case that does not meet the guidelines, but that cries out for and receives an appropriate response. If the guidelines gave the general managers that sort of flexibility, I would applaud that system.

The remote areas of Western Australia have a problem not only with the PAT scheme but also with the standard of health services provided to, unfortunately, mainly women and children. Most of the complaints that I receive are about the treatment of women and children in the Pilbara. There does not appear to be great concern about the treatment of males in the Pilbara. However, there is a great deal of anger that health services for women and children are difficult to access. One of the main problems associated with the treatment of children in the Karratha area is that although at the last two elections, which the Government won, both of the candidates who ran against me said that a government doctor would be based at Nickol Bay Hospital, and all the conservative members remember that promise whenever there is an election, Nickol Bay Hospital is a multimillion dollar complex that has no doctors in it. People who come from various parts of Australia and lob into Karratha and are told that the hospital does not have a doctor in it -

Mr Day: Are there not doctors in Karratha who provide services to that hospital?

Mr RIEBELING: I am just explaining to the minister that the Government does not provide a government doctor at that hospital.

Mr Day: We pay the GPs in Karratha to provide those services.

Mr RIEBELING: Everyone in Karratha knows that this Government promised at the last election to put a government doctor at that hospital, and it has not done that.

Mr Day: Does the Government not pay for doctors to provide services to that hospital?

Mr RIEBELING: The minister should keep parroting that! That is fine! I will let all the people in Karratha and surrounding areas know that the Government has no intention of putting a government doctor in that hospital, because that is what the minister is saying.

Mr Day: What do they not like about the doctors who are providing services to that hospital?

Mr RIEBELING: I am glad the minister asked that, because I will tell him! His government health system is miserly and penny-pinching, particularly with regard to country areas that do not have a doctor in their hospital. The instruction to the nurses is that they are to call a doctor - because it is very expensive to call a doctor - only when the medical case is an emergency.

Mr Day: Presumably when it is clinically necessary.

Mr RIEBELING: When it is an emergency. That is what they are told. If Mrs Brown takes little Jimmy into the hospital thinking that he is very sick, the nurses must make an assessment of whether Jimmy is sick enough to see a doctor. The poor nurses are between a rock and a hard place. They must decide whether Jimmy is sick enough. If they decide Jimmy is not sick enough and send him home and he is sick enough and gets seriously ill, they are in it up to their necks for making that decision. If they decide that Jimmy is serious enough and ring a doctor and Jimmy is not sick enough, they are in it again from the administrator for making that decision. They need to get it right every time. Most people do not take their child to the hospital only to be told by a nurse, "You have wasted your time coming here. Here is some Panadol. Off you go and come back tomorrow."

Mr Day: Are you saying every patient who presents at the hospital should be seen by a doctor?

Mr RIEBELING: No.

Mr Day: Therefore you are saying that nurses should be able to make a judgment about whether a patient needs to be seen by a doctor, regardless of whether a doctor is present on site. Nurses are trained to triage. They do it all the time.

Mr RIEBELING: The minister wanted to know the problems with the system that exists. I am telling him that when people take their sick child to the hospital, they do not expect to be told that their child is not sick enough. When a child is in distress, parents do not take kindly to being told that their little Jimmy or little Johnny is not sick enough to see a doctor.

Mr Day: Nurses are involved in the triage process all the time, including in our metropolitan teaching hospitals.

Mr RIEBELING: Forgive me if I am wrong, but would not government teaching hospitals have a doctor?

Mr Day: Of course there are doctors in teaching hospitals, but doctors are available in Karratha, paid for by the Government.

Mr RIEBELING: How many million dollars is Nickol Bay Hospital worth?

Mr Day: The capital value of it? It is about \$20m. So what? What does that have to do with your argument?

Mr RIEBELING: I think it is as good as any hospital north of Geraldton. It is probably better than Geraldton Regional Hospital.

Mr Day: Absolutely, with some very hard working staff.

Mr RIEBELING: That is absolutely right, but with no doctors in it.

Mr Day: There are doctors in Karratha.

Mr RIEBELING: The minister keeps coming back to that, but they are not working in the hospital, and when people come into the emergency section of the hospital at night when there are no doctors, the nurses make the assessment, based on economics rather than the severity of the illness.

Mr Day: They make a decision based on their clinical experience.

Mr RIEBELING: That is not right. The decision is not whether the person is sick. The decision is whether the person is sick enough. That is an economic decision.

Mr Osborne: No, it is not.

Mr RIEBELING: Are there doctors in Bunbury Regional Hospital?

Mr Osborne: They make their judgments based on the clinical needs, and you know it, and to imply anything else is to impugn the medical and professional integrity of the staff.

Mr RIEBELING: The member can say whatever he likes. No-one listens to what he says.

Mr Osborne: You are saying silly things.

Mr RIEBELING: The member for Bunbury is the silliest person in this place. It does not make any difference. If the member for Bunbury has doctors in his hospital, he should be happy. We do not have them.

Mr Day: Salaried doctors for 24 hours a day?

Mr RIEBELING: Yes. I want salaried doctors in the hospital, as the Government promised at the last election and at the election before that. However, the minute after the election, the Government forgets and says, "Sorry; no money".

Mr Day: Salaried doctors for 24 hours a day? Is that what you want?

Mr RIEBELING: Does the minister remember the promise that he made in government?

Mr Day: Salaried doctors for 24 hours a day?

Mr RIEBELING: Why not? It will require five doctors.

Mr Trenorden: How much will it cost?

Mr RIEBELING: Around \$500 000.

Mr Osborne: This is not a speech! This is a conversation! Make a speech! We are doing all the work!

Mr RIEBELING: The member does not work at all.

Some other unfortunate incidents have occurred with regard to the quality of the health services that are provided. I do not know whether I will get through all of this document, but at the end of my speech I intend to lay this on the Table for the balance of the day's sitting.

Mr Trenorden: We are really interested!

Mr RIEBELING: The member for Avon would not be interested in anything! This is a story about a lady by the name of Tracey Swinson. The member for Avon will not be interested in this, because he is heartless. This lady went to Paraburdoo District Hospital in April 1998 because she was suffering from bleeding from the outer wall of the cervix. Tests were done with regard to this lady's problem, and she was told to go away and if there was any problem, she would be contacted again. Some 12 months later in May 1999, this lady was still suffering from the problem, so she went to see another doctor, who ordered the same sorts of tests. However, when the other doctor tried to find the results of the April 1998 tests, he found they had been lost. Therefore, this lady's condition had been untreated for 12 months. The tests in May 1999 revealed a cervical intraepithelial neoplasia stage 3, which required major surgery, of course. She was then transferred to Port Hedland Regional Hospital and had an operation for that problem. She had to go to Port Hedland from Paraburdoo to see the specialist on the Tuesday. The operation took place on the Thursday basically because she had to stay there for that period because of the distances involved. At the end of that operation, she was told that she could not claim any mileage under the patient assisted travel scheme because the doctor had forgotten to give her the blue PATS form.

Mr Bloffwitch: As a good local member, you could have spoken to the hospital administration and it would have organised it.

Mr RIEBELING: After that she was told that she should head back to Paraburdoo by car. However, when her operation was over, she was taken back to the ward. She had an epidural drip in her spine. It was not noticed for two hours that the drip was not turned on. She was in a huge amount of pain after her operation and was told by the medical staff that she should not be whingeing about her complaints. Once they discovered that they had not turned on the drip, it was turned on and she gained some relief. She was told that she should remain still for 24 hours. The following day the nurse arrived in the ward and told her that she had to get out of bed because the nurse wanted to make the bed. The lady was connected to various machines and had catheters and other instruments hanging out of her. Despite saying that she had been advised that she should not be moved, she was told to sit in a chair. She sat in the chair and because she did so, the needle which was giving her pain relief went an extra four centimetres into her body. I do not understand how these things work - the minister may - but that extra four centimetres meant that the wrong part of her body was getting the pain relief; it was not her stomach area, and her legs became useless. Members may not be interested and I am sure the member for Avon could not care less, but that four centimetres created a huge problem for this lady. After this lady was released from hospital, she was told that she must travel by vehicle for five hours to get home. I do not have enough time to go right through this lady's concerns.

In summary, she got back to Paraburdoo, was diagnosed with an infection and then had to be readmitted. Part of her bowel and bladder had to be removed and relocated in her body because it was tangled. Members may think that that is not very pleasant, but after her bowel and bladder were removed and replaced in the right position in her body, she was given two panadol and told that she should drive from Port Hedland to Paraburdoo. This episode took 15 days during which she was suffering acute pain. She is now in Perth receiving care for another matter, and the PATS has allowed that to occur. The doctor who allowed access to PATS said that her husband could not be an escort for her and that she should be thankful that she was going to Perth and not being sent to Port Hedland. That is an indication that the doctor had severe concerns about the service she received. This saga goes on for another couple of pages, but I have run out of time. I know the member for Avon could not care less about this, but I do.

MR WIESE (Wagin) [9.34 pm]: I take this opportunity to raise a couple of issues that are of some importance to my electorate, and which are probably of some importance to many other electorates, especially non-metropolitan electorates.

The first issue I raise relates to the current situation on the Albany Highway. I am sure many members in this House have driven along the Albany Highway at various times. One of the things that strikes virtually everybody who travels along the highway is the number of little white crosses that dot the highway, especially in the area from Bedforddale south to Williams. The reason I raised that issue initially was because of the recent tragedy on that highway when five people were killed in a head-on collision. That head-on collision occurred in broad daylight at about three o'clock in the afternoon. It occurred on an absolutely straight stretch of road and, to all intents and purposes, everyone who drives past that spot wonders how on earth an accident of that nature could happen on such a stretch of road. The reality is that it is not the first of the multiple-fatality accidents, especially head-on accidents, that have occurred on the Albany Highway. There are probably five or six collections of crosses on that highway between Williams and Bedforddale with three, four or five crosses in each heap, all as a result of a head-on collision. Invariably, those accidents occurred in areas where one must ask how on earth an accident as severe as that could occur on such a stretch of road. The people involved in road safety give us all sorts of explanations, try to explain these accidents and try to apportion blame for why they occur. They talk about speed, alcohol, and carelessness as part of the explanation for some of the dreadful head-on collisions that occur not just on the Albany Highway, but on all of our highways. I am talking specifically about the Albany Highway because the record on that highway in recent times is as bad as or worse than that on any other highway in the State.

I travel along that highway on a regular basis and I know it pretty well. I see a great number of things that happen on that highway. I see the great number of close escapes that happen on that highway because people do things that they should not do, such as try to pass traffic on double white lines and those sorts of things. Some accidents are purely the result of bad, inattentive, reckless and stupid driving. Amazingly, some of those people get away with it. Some of the real tragedies occur on that highway for reasons other than speed, alcohol and the other factors to which I have referred that the safety bureaucracy accepts as the cause. I believe many of the accidents that occur on the Albany Highway occur as a result of the road design and construction no longer being adequate for the volume and type of traffic that uses the Albany Highway. Over the past 10 years or so, the volume of traffic - both cars and trucks - on that highway has increased significantly.

Ms MacTiernan: Are any of your policies to do with rail?

Mr WIESE: It is not to do with rail. I will tell the member what it is. If she is quiet and listens for a moment, I will tell her.

That increase in the volume of car traffic relates directly to increased population and number of cars, and increased mobility. Many of the people who work in country towns travel back to their homes in the city on the weekends. In the past those people lived in our communities, spent their weekends in our communities and played sport in our communities. They became part of the local community. That is happening less and less for a raft of reasons that I do not want to go into here, but that is a part of the problem.

In relation to heavy traffic, the explanation I put to the House and to the member for Armadale concerns the downturn in the wool and sheep industry, and the resulting increase in cropping. We have had an enormous increase in the volume of fertilisers being carted to rural parts of Western Australia, and a significant increase in the amount of grain being carted back from the farms to the metropolitan area. I believe that is the real reason for the large increase in the amount of truck traffic. There has been not only an increase in the amount of truck traffic but also a significant increase in the size of those vehicles. There are now a greater number of truck and trailer combinations, a significant number of B-double trucks and a significant increase in the number of road trains using the Albany Highway. These are contributing to the problem, not by being involved in accidents - because I cannot think of an example in which a truck has been involved in a fatality that has occurred along the Albany Highway; however, they are a significant factor by virtue of regulations forcing them to travel at a speed that is at least 10 kilometres an hour slower than the general speed of the traffic flow on the highway, and they slow down every time they come to a rise in the highway. The result of travelling at a significantly slower speed than the general volume of traffic is seen time and again on the highway as a bank-up of traffic behind these vehicles. Sooner or later somebody gets frustrated and impatient and will pull out and attempt to get past the vehicles in front of them. The general traffic is travelling at 110 kmh, which is the speed limit on the highway, and is being held to a speed that is on average somewhere between 80 kmh and 90 kmh. That applies to not only trucks and trailers but also caravans and cars towing a trailer or a boat. If a vehicle is travelling at a speed which is less than the speed of the general traffic, invariably traffic will bank-up and events will follow from that.

The problem with the Albany Highway at present relates to the construction and design of the highway. It has some passing lanes, but nowhere near enough, and they are widely spaced and far too short. Invariably, a slow moving vehicle such as a truck will try to pass another slow moving vehicle using the passing lane. If it is lucky it might pass the truck and one or two other vehicles. However, the bank-up of traffic must wait another 20 kilometres before coming to another passing lane. That situation occurs time and again along that highway.

A proposal was accepted for another half a dozen passing lanes to be constructed between Bannister and Williams. That proposal has been put back one or two years. The passing lanes contained in the original proposal should be in place now. The proposal provided for six passing lanes - three on each side of the road between 15 and 20 kilometres apart - within a distance of at least 60 km from Bannister to Williams. Those passing lanes were to be around 1.5 kilometres in length. Not one of those foreshadowed passing lanes reaches two kilometres in length. All of the people involved in road design and construction should know that is not long enough. In the past I have had argument after argument with Main Roads WA. I tried to persuade Main Roads that the Albany Highway needed passing lanes not solely on its uphill sections but also on the downhill sections. The engineers did not understand why. I have driven a truck and trailer thousands of kilometres up and down the Albany Highway carting grain and superphosphate and I know that the reality is that it is no good trying to get a slow moving truck to pass another slow moving truck on an uphill passing lane, because it does not have the power to get past. It would be far better if the passing lanes were on the downhill section of the highway, so that there was ample

opportunity for a slow moving truck to get past one moving slower than it is. The majority of roads were, and still are, constructed with passing lanes on uphill sections. The majority of heavy vehicle traffic and caravans, which invariably cause the holdups, cannot get past another heavy vehicle on an uphill section, even with a passing lane. The road design is totally wrong and inadequate.

The other problem that I have already raised relates to the number of passing lanes. The reality is that the Albany Highway has reached the stage that it should be a three-lane highway. There should be five kilometres of passing lane on the east side, and then five kilometres of passing lane on the west side, so there is an ample opportunity for vehicles to get past other vehicles. If a vehicle is stuck behind slow moving traffic, it will have to wait only five kilometres for another passing lane to get past and go on its way. Until we get to that situation we will see a continuing and increasing number of white crosses dotting the Albany Highway between Bedfordale and Williams. We need to adopt a strategy on the Albany Highway right now, because even if we start right now it will be 20 years before such a project is completed and an increasing volume of traffic will continue to travel through the area which currently has at least one major multiple fatal accident a year, and there will be even more white crosses littered from one end of the highway to the other. Unless we make that sort of funding available, and until we adopt a strategy of that nature and start to construct passing lanes which are adequate in number and length, we will continue to have an increasing number of very serious and fatal accidents on the Albany Highway. The reality is that a great number of those accidents could be prevented if the design of the highway was adequate for the traffic that it is now carrying. I would be the first to admit that the Albany Highway is not the only road with such problems. For instance, a section on the Great Eastern Highway from Kalamunda to Northam is as bad or worse, and is totally inadequate as it carries a large volume of eastern States' heavy traffic. We must rectify those problems.

In passing, I comment on money I see wasted on road treatments around the metropolitan area, at goodness knows what expense. If we stopped spending such money on fancy road treatments around the metropolitan area and directed it to areas where accidents are occurring, we could prevent repeated accidents at these sites. I refer to the Princess Road-Broadway intersection. The local council installed a small section of median strip in the middle of the road, and the result of the "brilliant" engineering was traffic congestion. Previously, two lanes of cars could wait side by side to enter Broadway. The right lane would continue across Broadway past the University of WA, and the left lane would turn left into Broadway towards Stirling Highway. As a result of the road treatment, the road was narrowed. Effectively, only one lane of vehicles can line up to pass through the intersection, which has caused traffic to bank up. This is not an unusual example. Exactly the same problem occurs where Broadway joins Stirling Highway. A fancy road treatment was installed all along Broadway, including one treatment 50 metres from Stirling Highway. Goodness knows what that cost! Two lanes of traffic previously stood side by side at the traffic lights on Stirling Highway, to either turn into Stirling Highway or cross into Hampton Road; however, that brilliant design work allows only one lane of traffic through. This has halved the number of vehicles which can pass during the green light phase of the traffic lights, and has doubled the time in which people sit at the intersection. Those factors are unimportant in themselves, but they cause frustration among drivers which leads to road rage and careless driving, which is the root of most road accidents. It is a simple design matter which could be rectified. These treatments should never have been installed in the first place.

I now touch briefly on the farming industry. Although members of Parliament are accustomed to hear about whingeing farmers, as a group we tend to whinge on a par with everyone else in the community. The industry has been known to whinge. The farming industry, certainly in my area, and many areas to the south and west of where I live - traditional prime wool growing areas west from the great southern railway line or west of the Albany Highway - are going through one of the hardest times known in my time in the industry. It is worse perhaps than the situation we faced in the late 1960s and early 1970s. A great deal of pain is being experienced in traditional wool growing areas. Prices for fine wool of 20 microns or less are probably higher than levels of last year. However, the great majority of producers in those areas, and in most of Western Australia, produce medium wool of 22 microns and stronger, and these wools are selling up to 100¢ per kilogram greasy less than was the case at this time last year. We thought those prices were an absolute disaster. We are down nearly one-third on those prices this year, which is causing enormous hardship and pain in the heart of our traditional wool growing areas throughout the State. Many areas have greatly increased their cropping, but this will not help them enormously this year. Prices expected for grains such as canola and wheat are at a low level not seen for the past 10 or 20 years. A lot of pain is being experienced in the farming industry. Many farmers must do some serious assessing of where they are and their futures in the industry.

I now touch on some good things as I hate being pessimistic. As a result of the downturn, the rate of change in farming methods has increased; that is, how we go about cropping and how we run our sheep. Some of the work of the "Wool Pro" groups is feeding back through the wool industry, and will have some significant effect on profitability in the coming year. The problem is that it is a slow process to adopt the new techniques and technology. For many farmers, it may be too late. For example the adoption of minimum till cropping operations involves greater use of chemicals and less continuous working of the ground with scarifying and working back. We no longer do the sort of damage to our farms, land and soils as occurred in the past. Some positive changes have resulted to some degree from the downturn.

The other good thing I see in the rural industries is the calibre and standard of some of the young people in the farming industry running and operating farms. We have a generation of young farmers who are highly educated, highly skilled and extremely innovative, who are making significant improvements and changes to our farming industry.

Ms MacTiernan: Are you saying that we might soon see a National Party member who is younger than 50 years?

Mr WIESE: I am sure the member will see that.

Mr Cowan: We have a couple now.

Mr WIESE: A few National Party members in here would still be at that age.

Mr Cowan: I regret that I am not one of them.

Mr WIESE: There are a few who have moved a little beyond that age also! We have a good mixture of ages and experiences in the National Party. I am sure it will continue with good members in the future.

I touch briefly now on contracting and regional preferences. I have recently had three or four experiences in my electorate with contractors. I am sure mine is not the only country electorate in which these situations have arisen. Contracts have been let by departments and authorities, in some cases, in total ignorance of the contracting out requirements. Two of them related to hospitals and contracts being let and handled by local hospital boards.

Ms MacTiernan interjected.

Mr WIESE: It is not a criticism of the policy; that is terrific. Problems have occurred in the implementation of the policy in two cases by hospital boards and in other cases by government departments or agencies. Expressions of interest are called and tenders then submitted from which the successful contractor is selected. The contract is then let for a service, whether it be for painting of a hospital or installation of airconditioning. In a couple of cases the tenders have been let to contractors who are outside the 200 kilometre regional-preference area, which is a criterion that must be taken into account. However, by the time people become aware that regional preference has not been applied, it is too late to do anything about it.

In one case we became aware that a contract was about to be let to a person who had applied for regional preference because he was based in the country, but whose business was located outside the 200 kilometre radius; therefore, he was ineligible to receive regional preference. He had sought regional preference and on assessment of the tenders he had been given it. We raised the matter with the department and were able to have the process stopped before the successful tenderer was notified. The department was then able to reassess the tender and allocate regional preferences as it should have done. As a result, people in the local area were awarded the contract. In two or three of the other cases in which regional preferences should have been granted but were not although the contractors were eligible, by the time we became aware of it, the successful tenderer had been notified and it was too late to have the process and decision reversed.

I am seeking a reassessment of the way in which this tendering process is undertaken. For example, it should be spelt out by virtue of certain criteria, which should be clearly detailed and outline the reasons for it, that regional contractors seeking a contract with the Government are entitled to regional preference which is assessed when tenders are being processed.

Mr Board: The State Supply Commission is reviewing exactly that principle.

Mr WIESE: I am aware of that and I am pleased it is happening. All government departments should be made aware that when assessing tenders they must assess whether the contractors are locally based and are eligible for regional preferences.

Debate adjourned, on motion by Ms MacTiernan.

House adjourned at 10.05 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

ROAD CONTRACTS

58. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Will the Minister state whether contracts have been awarded for the following projects -
 - (a) new mooring pens at Jurien;
 - (b) construction of a 1400 metre airstrip at Wave Rock; and
 - (c) upgrade of the Avon railyards at Northam?
- (2) If yes -
 - (a) when was the contract awarded;
 - (b) to whom was the contract awarded;
 - (c) what was the contract cost of the project;
 - (d) when is the estimated date of completion; and
 - (e) if the project is completed, when was it finished and what was the actual final cost?
- (3) If the answer to (1) above is no -
 - (a) when will a contract be awarded;
 - (b) when is the estimated date of completion; and
 - (c) what is the estimated cost of the project?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

Department of Transport

- (1)
 - (a) Yes, a contract has been awarded.
 - (b) Construction of a 1 400 metre airstrip at Wave Rock was undertaken by the private sector with the aid of grant under the Regional Airport Development Scheme of \$308 800 – the Government was not a party to the construction contract.
 - (c) A contract has not been awarded for upgrading Westrail's Avon Yard.
- (2) New mooring pens at Jurien.
 - (a) 23 October 1996.
 - (b) Quintin Holdings Pty Ltd.
 - (c) \$148 179.50.
 - (d) Completed.
 - (e) 30 January 1997 - \$154 381.30.

Construction of a 1400 metre Airstrip at Wave Rock.
(a)-(e) Not applicable.

Upgrade of the Avon Railyards at Northam.
(a)-(e) Not applicable.
- (3)
 - (a) It was originally intended to rationalise the Avon yard and construct four tracks, each with the capacity to hold around eighty wagons. However, the scope of the work has changed and it is now intended to resleeper the original tracks only. A tender for the resleepering work may not be called. It is likely that the work will be carried out by Westrail's maintenance provider, John Holland Construction and Engineering Pty Ltd.
 - (b)-(c) Timing and cost estimates for the project are still to be determined.

NEWMAN SCHOOLS, STUDENT ABSENCES

106. Mr RIPPER to the Minister for Education:

- (1) How many unexplained student absences have occurred at Newman Government schools so far this year?
- (2) What arrangements has the Education Department made to enforce compulsory school attendance and control truancy in Newman?
- (3) What discussions if any have occurred between the Education Department of Western Australia and the Western Australian Police Service with regard to the control of truancy in Newman?
- (4) What has been the outcome if any of such discussions?

Mr BARNETT replied:

- | | | |
|-----|-----------------------------|-------|
| (1) | Newman Senior High School | 1 073 |
| | Newman Primary School | 1 595 |
| | South Newman Primary School | 2 205 |

This represents approximately 4 per cent of the total possible attendance during this period.

- (2) The Education Department empowers schools to follow up absences with various communications (letter, telephone calls, visit by Aboriginal and Islander Education Workers) and to develop programs, for example, pastoral care and specially funded Students at Educational Risk programs, to encourage student attendance. The Pilbara Education District Office will shortly be appointing a full-time Retention and Participation Officer whose key role will be to:
- support schools with attendance issues;
 - manage district level processes for ensuring student attendance; and
 - develop district level agreements and protocols with key support agencies and employer agencies to assist non-attending and alienated students.
- (3) Discussions have been held with the local Community Policing Officer, Family and Children's Services and Community Health regarding a cross agency approach to absenteeism. The Safer WA Committee is also looking at the issue of truancy across the district.
- (4) The local Police make enquiries with students seen on the streets during school time, as to why they are not attending school. Students with no bona fide reason are redirected to school. In addition, a proposal has been developed involving an off campus classroom which will be jointly funded by the Education Department, Newman Senior High School and BHP to provide a facility for non attendees.

CALM SCIENCE, BUDGET

132. Dr EDWARDS to the Minister for the Environment:

- (1) How much money has been allocated in 1999-2000 budget for the Department of Conservation and Land Management's budget for CALM Science?
- (2) What work is being carried out by this division?
- (3) What other funding did it receive in 1998-99?

Mrs EDWARDES replied:

- (1) \$10 096 000 has been allocated from CALM's budget to CALMScience Division for the 1999-2000 financial year.
- (2) The CALMScience Division carries out a highly diverse range of research activities involving more than 150 specific projects. The activities of the Division are summarised in the CALMScience Division Strategic Plan 1999-2004. [See paper No 137.]
- (3) Other funding received by CALMScience Division in 1998-99 totalled \$1 710 459.

ENVIRONMENTAL BILL OF RIGHTS, INTRODUCTION

183. Ms WARNOCK to the Minister for the Environment:

- (1) Will the Government consider introducing an environmental "Bill of Rights"?
- (2) If not, why not?
- (3) Does the Government measure the likely environmental impact of decisions such as increasing the number of freeways?
- (4) If not, why not?
- (5) Does the Government require each Department to use some recycled materials?
- (6) If not, why not?

Mrs EDWARDES replied:

- (1)-(2) The Government will not be introducing an environmental "Bill of Rights" into the Parliament.
- (3)-(4) The Environmental Protection Authority provides advice to Government on environmental impacts of roads in two ways. It assesses individual road proposals where they could have a significant effect on the environment and where appropriate the EPA also gives advice at a more strategic level. The Government also is developing an Air Quality Management Plan for Perth in consultation with the community and industry, which will propose actions to manage, on a strategic basis, emissions from the transport sector. This strategic approach is a more effective way of assessing environmental impacts rather than just looking at road and freeway related issues.
- (5) The Government, through the State Supply Commission (SSC), encourages the use of recycled products through its *Recycled/recyclable Products Purchasing Policy* which states:

Where a public authority is intending to purchase a good and a recycled/recyclable option has been offered, consideration shall be given to that option during the evaluation process .. In all instances, purchasing decisions should be progressed in accordance with the value for money policy.

The SSC is responsible for distributing the *Policies and Guidelines Manual* to all purchasing officers across the State Government. It is also responsible for the conduct of the supply process across the "whole-of-Government."

- (6) As the Government's policy on this matter falls within the portfolio of the Minister for Works and Services, the question should be referred to him. However, as the Minister for the Environment, I will continue to promote the use of recycled products.

SCHOOLS, SYSTEMIC ABORIGINAL SCHOOL IN MIDLAND

219. Mrs ROBERTS to the Minister of Education:

- (1) Will the Minister advise if he has made a decision regarding the location of the Systemic Aboriginal School in Midland?
- (2) Is the school to be located at Blackadder Creek adjacent to the Midland TAFE site?
- (3) If so, on what basis was the decision made?
- (4) Has a feasibility study been undertaken on the impact of locating this school in close proximity to government primary schools with high percentage of Aboriginal students?
- (5) Will local schools such as Bellevue, Koongamia and Midvale Primary have staff numbers reduced?

Mr BARNETT replied:

- (1)-(3) Yes, a decision has been made to locate the Aboriginal Systemic School in Midland. The site is within the area bordered by the Midland TAFE and the Speed Dome. This site was recommended to the Education Department of Western Australia by a cross-sectoral advisory committee, consisting of sixteen Aboriginal people.
- (4) Yes, a feasibility study has been undertaken. It is proposed that the school will commence as a K-3 junior primary in 2001. It is projected that the following local schools will decline in population as follows:

School	Current Enrolment	Projected 2001	Projected 2005
Midvale	378	306	240
Midland	176	172	152
Koongamia	160	140	116
Middle Swan	852	815	798

- (5) As with any decline in student numbers staff numbers may also decline. However, this process is managed through the Education Department of Western Australia's normal staffing processes.

EAST WAIKIKI PRIMARY SCHOOL, NURSE

238. Mr McGOWAN to the Minister for Education:

I refer to East Waikiki Primary School and ask -

- (a) does East Waikiki Primary School have a school nurse;
- (b) if so, how many days per week does the nurse work;
- (c) if it is only for one and a half days per week, would it be possible to increase the length of days to full time;
- (d) if not, why not;
- (e) does the Government acknowledge that East Waikiki Primary School is the biggest school in the State and accordingly would have the greatest demand; and
- (f) when will the Government be increasing the amount of days that the school nurse will be working?

Mr BARNETT replied:

- (a) Yes.
- (b) 1.5 days per week.
- (c)-(f) East Waikiki Primary School is the largest primary school in WA, however, the school nursing allocation is provided by the Health Department which is the employer of school nurses. I am advised by the Minister for Health that allocations to the School Nurse Service do not allow for increased time for East Waikiki Primary School at this time. The Education Department has established the School Health Services Working Party to examine the best ways of meeting schools' health needs. At the same time, the Health Department commenced a

major project to reconceptualise community health services. These two groups are working together and are expected to report in March 2000.

WA MUSEUM, MR ANDREW REEVES

262. Ms McHALE to the Minister representing the Minister for the Arts:

- (1) How much notice did Mr Andrew Reeves give when he resigned from his position of Director of the Museum?
- (2) How much formal notice was required under Mr Reeves employment contract?
- (3) Did Mr Reeves elect to take leave whilst serving his notice period?
- (4) On what date did he submit his resignation?
- (5) On what date did he vacate his office?
- (6) What was the final payout to Mr Reeves on his resignation?
- (7) What is the breakdown of this amount?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following response:

This question was previously asked as Question on Notice 3341. The following answer was correct as at July 19 1999 when it was forwarded to the member's Electorate Office.

- (1) Mr Andrew Reeves gave notice "effective immediately" on 1 June 1999.
- (2) No period of notice was required under Mr Reeves' employment contract.
- (3) No.
- (4) 1 June 1999.
- (5) June 1999.
- (6) \$45,919.57 (Gross).
- (7)

Annual Leave:	\$16,636.56 (Gross)
Annual Leave Loading:	\$1,073.19 (Gross)
Long Service Leave:	\$28,209.82 (Gross)

SCHOOLS, INSTALLATION OF SAFETY CUT-OFF SWITCHES

407. Mr RIPPER to the Minister for Education:

- (1) How many incidents have been reported where staff or students have been subjected to electrical shocks at schools that do not have safety cut-off switches?
- (2) What is the cost of installing safety cut-off switches at Government schools?
- (3) Does the Minister intend to install safety cut-off switches at Government schools?
- (4) If so, when?

Mr BARNETT replied:

- (1) Since 1996, there have been seven (7) workers' compensation claims relating to electrical incidents at schools. There have been no reported incidents involving students. Information on whether those schools concerned had Residual Current Devices (RCD) installed is not available.
- (2) To retro-fit all schools with RCD protection is estimated at \$3 million.
- (3)-(4) Yes. Progressive installation began in 1998 and will be completed in 2001.

DUMBLEYUNG DISTRICT HIGH SCHOOL, DIFFICULT TO STAFF STATUS

408. Mr RIPPER to the Minister for Education:

- (1) How can a Government school become classified 'difficult to staff'?
- (2) Does Dumbleyung District High School fit the definition of 'difficult to staff'?
- (3) Will the Minister grant a 'difficult to staff' status to Dumbleyung District High School?
- (4) If not, why not?

Mr BARNETT replied:

- (1) The following criteria are used to identify Difficult to Staff schools (DTS). To qualify as DTS, a school must meet at least three of these criteria.

- Schools where 75 per cent or more of the staff are initial appointments to the Education Department of Western Australia.
- Schools with a turnover of 35 per cent of their staff in one calendar year.
- Schools where clear vacancies in subject areas or administrative positions have been unable to be substantively filled for more than six months because of their locality.
- Schools which attracted increased allowances in 1999 because of their locality.
- Schools in rural and remote areas that have poor physical infrastructure and geographic and climatic condition, which negatively affect the quality of life.

(2) No.

(3)-(4) Dumbleyung District High School does not meet any of the established criteria.

FISHERIES, LICENSING OF RECREATIONAL FISHING IN REGIONAL AREAS

420. Mr BROWN to the Minister for Primary Industry:

- (1) Is the Minister aware of concerns by regional recreational fishing groups as well as tourism interests about a proposal to licence recreational fishing in regional areas?
- (2) Does the Government plan to introduce such licences?
- (3) If so, why?
- (4) Has the Government assessed the degree to which such a proposal would impact on tourism?
- (5) If not, why not?

Mr HOUSE replied:

- (1) The proposal for regional recreational fishing licensing is contained in a draft management strategy for recreational fishing in the Gascoyne developed by a community-based working group and released in May this year for community discussion. There are 30 proposals in the paper aimed at ensuring the sustainability of fish stocks of importance to recreational fishing and the continued quality of recreational fishing in the face of ongoing growth in fishing pressure in this area.
- (2)-(3) I have clearly indicated in recent years that I do not support the introduction of a general recreational fishing licence. The Government would require substantial evidence of widespread community support before considering such a proposal.
- (4)-(5) A sustainable fishing-based tourism industry depends on sustainable and properly managed fisheries and fish stocks. These proposals need to be considered in the context of fisheries management - as well as the tourism industry. The Working Group will soon consider public and industry submissions on these issues. Submissions closed on 27 August 1999.

SCHOOLS, PUBLIC-PRIVATE FUNDING MIX

426. Mr BROWN to the Minister for Education:

- (1) Has the Government made any representations to the Federal Government about the public/private school funding mix?
- (2) Has the Government supported the view or taken the policy position that the Federal Government's funding arrangements for public and private schools discriminate against public schools?
- (3) Is the Minister prepared to meet with Parents and Citizens groups to discuss this matter?

Mr BARNETT replied:

- (1) The State Government has made a number of representations to the Federal Government about the adverse impact from the introduction of the Enrolment Benchmark Adjustment and the abolition of the new schools policy on government school funding. However, no representations have been made in regard to the new funding model announced in the recent Federal Budget.
- (2) The State Government does not support this view. State Governments are, and have always been, the major providers of funds to government schools, whereas the Federal Government is the major provider of needs-based funding to non-government schools. The State Government provides approximately 89 per cent of government funding to government schools, the Federal Government 11 per cent. The Federal Government is the major contributor of public funds to non-government schools contributing about 37 per cent of total funding, with the States contributing 18 per cent and parents around 45 per cent. The State continues to press the Federal Government to provide increased funding for schools in Western Australia.
- (3) Yes, however, I have already put the State Government's view in a letter to the parents and citizens' national body ACSSO (Australian Council of State School Organisations).

ABORIGINAL AFFAIRS DEPARTMENT, ABORIGINAL STAFF

508. Ms WARNOCK to the Minister for Aboriginal Affairs:

- (1) How many Aboriginal people presently work in the Aboriginal Affairs Department (AAD)?

- (2) How many Aboriginal people worked in the AAD in each of the last seven years?
- (3) At what level do these staff members work?
- (4) What percentage of Aboriginal Affairs staff have an indigenous background?
- (5) How many senior level Aboriginal Affairs Department staff (who are Aboriginal) have left the Department since the present director was appointed?
- (6) Is the Minister aware of a growing concern in the Aboriginal community at the loss of an indigenous voice at senior levels of the Department?

Dr HAMES replied:

- (1) 56.
- (2)-(3) For 1993 and 1994, data is unavailable. For 1995 to 1999, the information is as follows:

CLASSIFICATION	1995	1996	1997	1998	1999	20/08/1999
LEVEL 1	15	18	20	9	5	13
LEVEL 2	9	9	6	9	11	10
LEVEL 3	4	3	3	2	2	2
LEVEL 4	4	4	7	10	10	10
LEVEL 5	9	11	10	8	6	7
LEVEL 6	3	4	4	6	6	5
LEVEL 7	1	1	1	2	2	6
LEVEL 8	3	5	7	7	4	2
LEVEL 9	0	1	1	2	2	0
CLASS 1	1	1	1	1	1	1
CLASS 2	0	0	0	0	0	0
CLASS 3	0	0	0	0	0	0
CLASS 4	0	0	0	0	0	0
SPECIAL 3	0	0	1	0	0	0
TOTAL	49	57	61	56	49	56

- (4) 49.55% as at 25/08/1999.
- (5) Six senior Aboriginal staff (Level 7 and above) comprising of the following reasons:
- 2 – institution of disciplinary charges pursuant to the *Public Sector Management Act*;
 - 1 – expiry of contract;
 - 1 – promotional opportunities in Queensland;
 - 2 – private reasons
- (6) No. The Department has recently filled the vacant Director, Operations position with a senior Aboriginal woman.

SCHOOLS, COMPUTER PROGRAM

524. Ms McHALE to the Minister for Education:

I refer to the Computers in Schools Program and ask -

- (a) is it true that schools have been advised that the \$200 is to be deducted from the allocated amount per computer;
- (b) what is the purpose of this deduction; and
- (c) if a school has already purchased software, is there any exemption from the requirement to receive \$200 less per computer?

Mr BARNETT replied:

I am advised:

- (a) Yes.
- (b) To fund part of an enterprise agreement for the use of Microsoft software. The Agreement was entered into because it was recognised that it represented a significant benefit for Western Australian government schools. A large number of additional software licences for the new computers funded through the Learning Technologies program would be required and there were also other benefits through the:

- extensive product set covered by the Agreement;
- provision for upgrades throughout the life of the Agreement. (Previous maintenance agreements had a life of two years);
- permission to use the software on all computers in Western Australian government schools (ie not just the Learning Technologies funded computers);
- permission for home use of this software for work related purposes by Education Department Staff, including teachers;
- improved ease of software licence acquisition and record keeping; and
- reduced exposure to litigation for failing to comply with software licensing requirements.

The licence agreement will provide all schools with the ability to use the following products on all workstations in the school (not just the Learning Technologies-funded computers):

- 32 bit operating system upgrades including Windows 95, Windows 98, NT workstation;
- Office Professional or Works;
- Back Office Client Access Licences;
- Internet Explorer;
- Outlook Express;
- Front page;
- Publisher; and
- Encarta 99 Reference Suite or Visual Studio Professional.

Where applicable, these products may also be used on Apple Macintosh workstations. Under the previous Microsoft Select Agreement this product set, with maintenance, cost in excess of \$700 per workstation.

- (c) These cases are reviewed, upon request, on a case by case basis.

MINISTRY OF JUSTICE, COMPLIANCE WITH SECTION 8 OF THE PUBLIC SECTOR MANAGEMENT ACT

530. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:

- (1) Is the Ministry of Justice complying with the general principles outlined in section 8 of the Public Sector Management Act 1994?
- (2) Is the Director General of the Ministry of Justice responsible for ensuring these general principles are complied with?
- (3) If not, why not?
- (4) Has there been any instances in the last two years where the principles have not been complied with?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1) The Ministry of Justice is complying with the section 8 of the Public Sector Management Act 1994 and has a number of mechanisms in place to ensure this.
- (2) Yes.
- (3) Not applicable.
- (4) Yes. There have been 15 breaches of the Public Sector Standards

MINISTRY OF JUSTICE, STAFF TERMS AND CONDITIONS

531. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:

- (1) Under what employment terms and conditions does the Ministry of Justice employ/engage -
 - (a) Lisa Baker;
 - (b) Barry Cram;
 - (c) Hugh Cowan; and
 - (d) Evan Jones?
- (2) What -
 - (a) positions do they occupy; and
 - (b) are the duties and responsibilities of those positions?
- (3) Does the Ministry of Justice provide any of these persons with -
 - (a) a vehicle; and/or
 - (b) a telephone and/or mobile telephone?
- (4) Which persons are provided with a vehicle and/or telephone and/or mobile telephone?
- (5) Are any of the named individuals provided with an allowance for a car, telephone or mobile telephone?
- (6) If so, who receives such an allowance and what is it for?

Mrs van de KLASHORST replied:

- (1) (a) An employee of CAMS, on assignment at the Ministry of Justice.
 (b) Under section 64 (1)(b) of the Public Service Management Act 1994.
 (c)-(d) Ministry of Justice Workplace Agreement.
- (2) (a) Lisa Baker Acting Project Manager, Prison Improvement Program.
 Barry Cram (i) Director Prison Improvement Program.
 (ii) Acting Director Business Management, Prison Services.
 Hugh Cowan Acting Manager Prison Industries.
 Evan Jones Acting Manager Planning, Prison Services.
- (b) Lisa Baker Undertake projects associated with improving the management and operational performance of prisons in the Ministry.
 Barry Cram (i) Undertake the management and coordination of a range of strategic change management projects directed at improving the management and operational performance of prisons in the Ministry.
 (ii) Lead the development, implementation, monitoring and evaluation of business management and service delivery policies and procedures, and compliance with standards for prisons.
 Hugh Cowan Oversee prison industries and develop and set policies for prison industries.
 Evan Jones Assist prison services to establish planning and Business management processes.
- (3) (a)-(b) Yes.
- (4) Vehicle Barry Cram and Hugh Cowan have home garaging privileges in accordance with Ministry of Justice policy. Lisa Baker has private use of a vehicle in accordance with the Government Vehicle Scheme.
 Telephone None.
 Mobile Telephone Barry Cram, Hugh Cowan and Lisa Baker.
- (5) No.
- (6) Not applicable.

QUESTIONS WITHOUT NOTICE

GOODS AND SERVICES TAX, BENEFITS

157. Dr GALLOP to the Premier:

- (1) Does the Premier agree with the Executive Director of the Institute of Public Affairs, Mike Nahan, when he says that the Western Australian Government will get little benefit from the goods and services tax package and may even end up with a bigger deficit or need to raise taxes?
- (2) If not, on what basis does the Premier reject Mr Nahan's statement?
- (3) Can the Premier explain why he still will not table the Treasury analysis of the GST package?

Mr COURT replied:

(1)-(3) I have not seen any prepared comment by Mike Nahan.

Dr Gallop: It was in *The West Australian*.

Mr COURT: I saw the article in *The West Australian* and I do not agree with the comments on two grounds. First, the implementation of a goods and services tax will lead to the State having access to a growth tax it previously has not had. Nothing has been hidden. There will not be any growth coming through for the first three or four years but the Federal Government has given a commitment that no State or Territory will be worse off than under the current arrangements. The State cannot be worse off than under the current arrangements but it will be better off when the growth revenues kick in. The second reason I do not agree with the comments - and I would like to see everything Mr Nahan said, not just what was reported in the newspaper - is the -

Mr Ripper: Is that worse off over a certain period or just in a particular year?

Mr COURT: Let me finish. This State has a strong export focus and I believe our export industries will benefit significantly from the tax treatment of those changes. I made a statement to this Parliament last week about the Treasury analysis. I said that the Treasury has stuck by its original analysis. The only change it made related to the figures about how much the benefit would be over that period and I included those in the ministerial statement.

GOODS AND SERVICES TAX, COMPENSATION

158. Dr GALLOP to the Premier:

Has the Commonwealth Government offered compensation for the early years of the goods and services tax package? If so, is that compensation adequate?

Mr COURT replied:

I cannot believe the naivety of members opposite. I have made a number of ministerial statements, and I have said it in this Parliament on a number of occasions.

Mr Kobelke: Why not table the report?

Mr COURT: No. I have just said that it is part of the intergovernmental agreement that no State will be worse off.

Mr Kobelke: You are hiding the figures that we, and the people of this State, have a right to see.

The DEPUTY SPEAKER: Order! The member for Nollamara will come to order.

Mr COURT: The Federal Government made a commitment that no State would be worse off than it is under the current arrangements.

Dr Gallop: It has offered compensation, and I am asking you whether it is adequate, or whether you will need to go back again.

Mr COURT: What a stupid question. The arrangements we are operating under are such that Western Australia receives per capita growth in its grants and the like. If we were to continue with the status quo, under the new arrangements we could not be any worse off. If there is a need for additional moneys to make sure we are not worse off, that money will be provided.

Mr Kobelke: Why are you hiding the figures?

Mr COURT: What do you mean, hiding the figures? The question is bordering on stupid, because everything has been made public on that matter.

DAMS, WATER LEVELS

159. Mr MARSHALL to the Minister for Water Resources:

Will the minister inform the House of the current situation surrounding the water levels in Western Australian dams?

Dr HAMES replied:

I am pleased to have this opportunity to update members on what has been happening with the dams because there has been - Several members interjected.

Dr HAMES: Why do all members start up at once when I get to my feet?

Several members interjected.

The DEPUTY SPEAKER: Order! The minister is on his feet.

Dr HAMES: There has been a lot of interest in what is happening with the dams and people are particularly concerned about the low level of runoff from rain into the dams, which over the past 25 years is 40 per cent less than it has ever been. I am pleased that recently there has been a significant improvement in the volume of water running into the dams. At the beginning of May the dams contained 53 million kilolitres less water than at the same time last year, but the level has improved, particularly over the past week when the level increased by 7 million kilolitres. Currently the level is 23 gegalitres lower than the level at the same time last year. We shall be relying on further rainfall over the next four weeks. After that period, generally the runoff into the dams is insignificant. During the last month of this period we need another 20 million kilolitres runoff, which is about half as much as we got last month and about the same as that in September last year. If the rainfall pattern this year is similar to that of last year, we should meet the 230 million kilolitres we need and avoid the need for any further water management.

WORKERS COMPENSATION, PEARSON REVIEW

160. Mr KOBELKE to the Minister for Labour Relations:

I refer to the Pearson review of the workers compensation system and the recommendations contained in its report, and ask -

- (1) Does the minister accept that the report is correct in suggesting that the implementation of its costed recommendations will achieve savings of approximately 10 per cent?

- (2) If the minister disagrees with the report, what aspect of its recommendation on costings does she believe to be wrong?

Mrs EDWARDES replied:

- (1)-(2) The assessment by the actuaries in respect of the recommendations amounted to 9.7 per cent. I would like to know from members opposite what they will do to ensure those costs are reduced.

Mr Kobelke: Do you want me to answer?

Mrs EDWARDES: I think it is absolutely critical. There is an open letter in this morning's newspaper about the impact on aged care services. There have been letters about the disability services sector and from small business, indicating that they can no longer afford the increase. I refer members to the impact of the increased cost of the premiums particularly as a result of the common law claims.

Several members interjected.

The DEPUTY SPEAKER: Order! When the minister is answering a question, I do not want to hear four people trying to interject at once. All of us would like to hear the minister's answer.

Mrs EDWARDES: The increased costs shown in the actuaries report have come from two areas: Common law and increased medical expenses. A review is being conducted into the medical expenses and the amendments relating to the common law costs are in the Legislative Council. I call on the Leader of the Opposition to start showing some leadership for workers in areas on which those things are impacting.

WORKERS COMPENSATION, PEARSON REVIEW FINANCIAL RECOMMENDATIONS

161. Mr KOBELKE to the Minister for Labour Relations:

Will the minister answer the question about whether she accepts the financial recommendations of the Pearson review and, if not, why not?

Mrs EDWARDES replied:

As a reminder to the members opposite: Last week I gave a ministerial statement identifying the Government -

Mr Kobelke: I asked a specific question. Will the minister answer it?

Mrs EDWARDES: The Government accepted all 30 of the recommendations of the Pearson review.

Mr Kobelke: Why don't you implement them?

Mrs EDWARDES: I tabled a schedule of what the Government was doing about each one of those recommendations. To get an impact of the costs, particularly the common law costs, straightaway, the Government put the relevant amendments to the Bill before the House last year. That was done to enable -

Mr Kobelke: But not in keeping with Pearson.

Mrs EDWARDES: It was.

Mr Kobelke: The threshold is not in Pearson's report. It says that the recommendation gives open access to common law.

Mrs EDWARDES: Members opposite must understand the impact. If they would like a further briefing on this matter, I would be happy to provide it.

PEOPLE'S REPUBLIC OF CHINA, BUSINESS OPPORTUNITIES FOR WESTERN AUSTRALIAN EXPORTERS

162. Mr BAKER to the Minister for Commerce and Trade:

Can the minister provide advice on the steps the department is taking with a view to assisting Western Australian exporters wishing to access business opportunities in China?

Mr COWAN replied:

I thank the member for some notice of this question. The State Government has taken a number of steps to assist business to identify opportunities in the People's Republic of China. In the first instance, we have trade representative offices in Shanghai, Hangzhou and Hong Kong. These offices gather intelligence, conduct preliminary market research and facilitate exporter visit programs, if that is applicable. In addition, the Department of Commerce and Trade also has a Perth-based China desk which assists with the identification of business opportunities and the provision of advice to interested exporters on market entry strategies.

The department also manages the 12-year-old sister-state relationship program with Zhejiang Province in China. This program places importance on bilateral economic and trade exchanges between this State and Zhejiang Province, and interested companies are encouraged to take advantage of this special relationship to conduct business with companies in Zhejiang Province. There are also a number of seminars and conferences on opportunities in China, at which we bring in experts from the marketplace. We also bring together successful local exporters to provide information to potential exporters. In addition, the department works very closely with local chambers and councils, such as the Western Australian Chinese Chamber of Commerce, the Australia China Business Council and the Hong Kong business council in organising export awareness seminars or strategic alliance missions to China, and we also host incoming trade delegations.

That is a brief summary of the operations of the department in promoting export opportunities in Western Australia for small to medium enterprises that wish to expand their production through exports. We give them an opportunity to identify markets in China and to take advantage of those markets.

COCKBURN SOUND, ARSENIC LEAK

163. Ms McHALE to the Minister for Health:

- (1) When did the Health Department of Western Australia first become aware that a massive quantity of arsenic had leaked from the Kwinana plant of CSBP into Cockburn Sound?
- (2) When was the minister's office first informed of this event?
- (3) When did the Health Department issue its public warning?
- (4) Why was the warning not issued immediately upon notification?

Mr DAY replied:

- (1)-(4) The Health Department of Western Australia was given preliminary information on the arsenic spill in Cockburn Sound late last Wednesday afternoon, I was advised at approximately 6.00 pm, and a public warning was put out late the following morning. I am aware of criticism from the state Labor Party that action was not taken quickly enough, but that criticism is entirely unreasonable and uninformed.

Ms McHale: It was 24 hours later.

Mr DAY: It was not 24 hours later. The initial information which was available to the Department of Environmental Protection, the Health Department and Fisheries WA was only limited and it was necessary to get firmer information upon which sound information could be passed on to the public. Late on Wednesday afternoon action was taken to contact the mussel farmers. Mussels were withdrawn from sale in markets in Western Australia and samples were taken from retail outlets late on Wednesday afternoon. On Thursday morning of last week the Minister for the Environment and I, together with relevant officers from the Health Department and the Department of Environmental Protection, had a meeting and the matter was discussed. At that stage we had much more precise information with which to work. Work was then done to put out a media statement to inform the public appropriately as soon as possible. I am satisfied that there was no unreasonable delay whatsoever. All of the staff involved from the Health Department, the Department of Environmental Protection and Fisheries WA have acted professionally and expeditiously. There has been strong cooperation between those three departments in keeping the public expeditiously informed on the basis of using sound information. I have full confidence in the action which has been taken by all of the staff in all of the agencies. As I said, any criticism which has been offered has been churlish, unreasonable and uninformed.

DAIRY INDUSTRY, EXPORTS

164. Mr MASTERS to the Minister for Primary Industry:

The dairy industry is facing a period of uncertainty thanks to the threat, or promise, of deregulation of the fresh milk market, and yet everyone in the industry agrees that its future lies in the export of manufactured milk products. What steps, if any, is the Government taking to encourage or assist all sectors of the industry to expand their horizons into export markets?

Mr HOUSE replied:

The dairy industry in this State faces unprecedented change which has been forced on it by a decision of the Victorian dairy farmers, who produce about 65 per cent of the nation's milk, to totally deregulate by 1 July 2000. To put Western Australia in perspective, we produce about 5 per cent of the nation's milk, so we will be forced to go along with that deregulation. The deregulation hangs on a federal government package, which is currently being discussed by Federal Cabinet. The proposition has the support of all States and most sectors of the dairy industry. When that change comes about, we will be reliant on increasing production, particularly of manufactured milk, and looking at making dairy products that we can export. As the member rightly says, we must look at the export of those products. Dairy farmers and people from milk manufacturing and processing plants have travelled to places like China, Taiwan and Indonesia to look at how the dairy industry operates in those countries. The Government, not only through my department but also through the Department of Commerce and Trade, has assisted to make sure those visits have been coordinated so as to put the manufacturers in touch with export opportunities for cheese, yoghurt, ice-cream and other dairy products. This will be a period of quite severe upheaval for the dairy industry. I have indicated to people from the industry that I am not prepared to introduce legislation into Parliament until such time as they tell me that they are ready for that to happen. That hinges on the Federal Government making its intentions about the details of the package of compensation known to dairy farmers.

COCKBURN SOUND, ARSENIC LEAK, COMPLAINTS TO DEPARTMENT OF ENVIRONMENTAL PROTECTION

165. Dr EDWARDS to the Minister for the Environment:

- (1) Did the Department of Environmental Protection receive any complaints or information from any party regarding arsenic leaking into Cockburn Sound prior to CSBP Ltd notifying the DEP?
- (2) If yes, who were the parties and when did they raise the matter with the DEP?

Mrs EDWARDES replied:

(1)-(2) Not to my knowledge. I understand that at about 5.00 pm on Tuesday, 7 September, CSBP contacted the Department of Environmental Protection. If the member has any other information I would be pleased to receive it.

ARMADALE HEALTH CAMPUS, NEW NAME

166. Mrs HOLMES to the Minister for Health:

To answer community concerns about the retention of the name "Armadale Memorial Hospital", can the minister advise the name to be given to the new hospital facilities at Armadale which are currently referred to as the "Armadale Health Campus"?

Ms MacTiernan: While you're at it, explain why you have delayed it for another six months?

Mr DAY replied:

I am happy to speak about the progress which is being made in the construction of the magnificent new hospital in the Armadale region. The more the member for Armadale wants to bag it, the less will be her credibility.

Ms MacTiernan: My credibility has no problems. It's your credibility that has problems. We dragged you screaming and kicking to get a public hospital; the public knows that.

Several members interjected.

Mr McGinty: Go and ask Ricky Johnson about your visit. She is unemployed as a result of what you did and the stupidity of it.

The DEPUTY SPEAKER: Order, members! The member for Fremantle will come to order.

Mr DAY: To back up what I was saying, I was pleased to have the opportunity of visiting the site yesterday with the member for Southern River, the Premier and the Deputy Premier. We had the pleasure of witnessing the commencement of site works for the construction of the new hospital now that a contract for the site works has been awarded to Henry Walker Contracting Pty Ltd-Eltin Ltd.

Ms MacTiernan: What about the contract to develop the hospital; has that been let yet?

Mr Court: The Deputy Premier started digging the foundations yesterday!

Mr DAY: There is now tangible evidence on the site of the new hospital that it is in the process of being constructed. Unlike that which the Labor Party did for 10 years - that is, nothing - this Government is getting on with the job of providing a new hospital for the people in the south-eastern corridor.

The name of the hospital, "Armadale-Kelmscott Memorial Hospital", will be retained for the public general hospital, which is the predominant facility on the site. However, the use of the term "Armadale Health Service" is also relevant as it refers to all the public services provided on and off the hospital site. The health service includes not only the hospital as its major facility but also other services which are not associated with hospital care such as community health, child health, school health and community-based mental health services. In addition to those terms, the term "Armadale Health Campus" is also relevant as it is used to describe the collection of buildings put together on the Albany Highway site. All those three terms therefore are relevant.

Ms MacTiernan: At least the names are coming on - the only things that are.

Mr DAY: The member for Armadale might not be able to understand the difference; however, I am sure that most of her constituents will be able to.

The main point is we are getting on with the job of funding and building a new hospital for people in the south-eastern corridor and, unlike the member for Armadale, most of her constituents will be eternally grateful to this Government.

CSBP LTD, ENVIRONMENTAL PERFORMANCE

167. Dr EDWARDS to the Minister for the Environment:

- (1) Can the minister outline the terms and conditions under which CSBP Ltd in Kwinana has been allowed to self-regulate its environmental performance?
- (2) How poor does a company's environmental record have to be before it loses the right to self-regulate?

Mrs EDWARDES replied:

(1)-(2) I do not have the exact terms and conditions for the licence for the CSBP operations. I understand some decommissioning is currently being undertaken, and I can get some detail about that.

I do not regard it as a minor spill; it is a serious matter. There are three aspects on which the Government can take action: First, if the company has breached its licence conditions; secondly, if it has breached the Environmental Protection Act; and, thirdly, and most seriously, if it was aware of the leak, which is identified as having occurred six weeks prior to its notifying the department, and did not report it sooner. If that is the case, the authorities will

take whatever action is necessary to ensure that that does not happen in the future. That action will send a message to the industry that the Government will not tolerate such breaches. It will not tolerate such industries having self-regulation and then not doing the right thing. That behaviour will be treated extremely seriously.

METROPOLITAN HEALTH SERVICE BOARD, TEACHING HOSPITAL BUDGETS

168. Ms McHALE to the Minister for Health:

- (1) Has the Metropolitan Health Service Board determined the funding allocations for Perth teaching hospitals?
- (2) If so, what are those allocations and how do they compare with last year's budget and last year's out turns?

Mr DAY replied:

I thank the member for some notice of the question.

- (1)-(2) The Metropolitan Health Service has advised me that it has not completed the process of determining budgets for its component health services. It is currently going through that process and expects to have it finalised by the end of this week.

METROPOLITAN HEALTH SERVICE BOARD, BUDGET MEETING

169. Ms McHALE to the Minister for Health:

Can the minister confirm whether a meeting will be held this afternoon at which the Metropolitan Health Service will brief the unions about the budget?

Mr DAY replied:

I am not aware of any meeting this afternoon.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr DAY: Do members opposite want an answer to the question? I am not aware of any meeting this afternoon between unions and the Metropolitan Health Service involving general discussions about the service's budget or the budgets of its component health services.

PEEL PRESERVATION GROUP, MOSQUITO RUNNELLING

170. Mr MARSHALL to the Minister for Health:

The Peel Preservation Group is concerned that the runnelling for mosquito control may not be beneficial to the environment.

- (1) To what depth will the runnels be dug?
- (2) What slope will the runnels be?
- (3) At what distance apart will the runnels be spaced?
- (4) What is the anticipated effect on samphire areas?
- (5) Where has the runnelling been proved successful?
- (6) Under what conditions was the testing carried out?
- (7) What is the anticipated frequency of maintenance?

Mr DAY replied:

I thank the member for some notice of this question about an important project being funded from the Health budget to control better the breeding of mosquitoes in the Peel region. The proposal involves installing runnelling in salt marsh mosquito breeding areas around the Peel-Harvey estuary. An allocation of \$1m over four years has been made from the Health budget. The Health Department is currently seeking the endorsement of the relevant authorities to enable the work to commence.

- (1) The runnels will be dug to a maximum depth of approximately 30 centimetres.
- (2) They will have a gradient of 1:1000 or less.
- (3) The runnels will be placed to connect existing low points on the salt marsh and the spacing will be determined by the site characteristics.
- (4) A Health Department funded study has indicated there will be no significant impact on samphire areas.
- (5)-(6) Experimental runnel sites were established in the Peel-Harvey estuary up to a decade ago. Runnels have also been constructed at Point Duoro in the Shire of Harvey, at the Ascot Waters development in Belmont, in northern New South Wales and southern Queensland. I understand that the runnels constructed on all of those sites have successfully reduced the amount of mosquito breeding.
- (7) It is expected that maintenance of runnels will be necessary and will mainly involve the pruning of vegetation.

COCKBURN SOUND MANAGEMENT AUTHORITY, ESTABLISHMENT

171. Dr GALLOP to the Minister for Commerce and Trade:

I refer the minister to the Labor Party's proposal to establish a Cockburn Sound management authority, to which the Government has agreed. Why has the Government not established this authority and when can we expect it to be in place to work on behalf of the citizens and industries that rely on Cockburn Sound for their livelihoods?

Mr COWAN replied:

That question would have been better directed to the Minister for Water Resources who is responsible for the Water and Rivers Commission which has responsibility for the establishment of such a management group. Progress is being made between the Minister for Water Resources, the Minister for the Environment and me with respect to the Government's meeting the conditions that were applied following recommendations of the Environmental Protection Authority to the minister on the development of Jervoise Bay. One of those recommendations dealt with the water quality of Cockburn Sound.

Dr Gallop: What have you done?

Mr COWAN: I wish the Leader of the Opposition would improve his listening skills, rather than asking one question and interjecting with a barrage of questions. For the benefit of the Leader of the Opposition, I will repeat my answer: Considerable progress is being made between the Minister for the Environment, the Minister for Water Resources and me on the establishment of a management group to manage water quality in Cockburn Sound.

COCKBURN SOUND MANAGEMENT AUTHORITY, PROGRESS

172. Dr GALLOP to the Minister for Commerce and Trade:

Will the minister table all details of that progress?

Mr COWAN replied:

I would rather the responsible minister were in a position to announce the establishment of the management group and its members. If the Leader of the Opposition wants details of the meeting dates and progress being made, I will be comfortable in tabling that.

RETRENCHMENT, ASSISTANCE FOR EMPLOYEES

173. Mr BARRON-SULLIVAN to the Minister for Employment and Training:

Most people are aware of the State Government's excellent record on employment. Could the minister inform the House what the Government has done to assist employees who have been retrenched?

Mr KIERATH replied:

All members would be aware that many state and federal agencies are involved in addressing employment issues. Often the problem is that people do not know where to access the various services for their needs, which can be varied. I am pleased to announce that the Western Australian Department of Training has produced a folder, which I will make available to members, that is specifically aimed at retrenched workers in the south west. The folder contains the names of coordinators, the location of the various job network officers and special services for apprentices and training. It contains information for businesses on forest industry training services, Centrelink income support, financial counselling and a range of other issues. Members on this side of the House know that the Government needs a long term solution to this area which has been suffering a decline for many years. However, it is important that the Government move quickly to satisfy the immediate needs. This folder is available to members for the rest of today's sitting. Maybe I should send a personally autographed copy to Mark Cuomo.

[The paper was tabled for the information of members.]

CANCER PATIENTS, ACCESS TO OUTPATIENT SERVICES

174. Ms McHALE to the Minister for Health:

- (1) Has the minister checked with the Metropolitan Health Service Board to see whether it is considering a proposal to prevent cancer patients from accessing outpatient services at any of our teaching hospitals?
- (2) If so, what was the result of the minister's inquiries?
- (3) If not, why not?

Mr DAY replied:

- (1)-(3) Yes, I have checked the matter with the Metropolitan Health Service. I am advised there is no intention of preventing access by cancer patients to needed treatment.

CYCLONE VANCE, EXMOUTH HOUSES

175. Mr SWEETMAN to the Minister for Local Government:

The effect of cyclone Vance on north west communities, particularly the towns of Exmouth and Onslow, was very

significant. I understand that the minister has now released a report into the performance of houses in Exmouth in relation to the building code of Australia. Will the minister outline the steps to be taken to promote this report?

Mr OMODEI replied:

I thank the member for Ningaloo for some notice of the question and for his continuing interest in this important issue, especially in the communities of Onslow and Exmouth. The Department of Local Government commissioned Geoffrey Boughton, Associate Professor of Civil Engineering at Curtin University, to examine how houses in Exmouth performed under cyclone Vance, which included the highest wind gust recorded on the Australian mainland at 267 kilometres per hour. Associate Professor Boughton's report showed that overall 10 per cent of houses had structural damage but 50 per cent of older transportable buildings showed obvious structural damage. Some classes of buildings were damaged more by water than by the extreme winds. The first of two seminars on the issue was held in Perth on Tuesday and the second was held in Broome on Wednesday. I was pleased to be able to use funds from the local government development fund to subsidise the attendance of building surveyors at the Broome seminar. The report and feedback from the seminars will be analysed for possible amendments to the building code of Australia and for the development of building practices that could be adopted as policy by local governments in cyclone prone areas.

EMPLOYMENT, SOUTHERN RIVER ELECTORATE

176. Mrs HOLMES to the Minister for Employment and Training:

Given the continuing increase in employment in Western Australia, will the minister please inform the House about employment trends and training provision in my electorate of Southern River?

Mr KIERATH replied:

I thank the member for some notice of this question. I am pleased to announce that although historically the area around Southern River has had high unemployment figures, significant improvements can be seen. I want to compare the figures from June 1992 to the March quarter of 1999 to get a handle on how the area has benefited under the coalition Government. In Armadale unemployment is down 4.5 per cent; in Cockburn, it is down 3.6 per cent; in Gosnells, it is down 6.1 per cent; in Melville, a bit further away, it is down 2 per cent; in Kwinana, it is down 5.7 per cent; and in Serpentine-Jarrahdale, it is down 7.5 per cent. One can see stunning improvements in the unemployment figures. In the City of Canning, the South East Metropolitan College of TAFE was named as training provider of the year. It is the major provider of vocational education and training in the region. In addition to that college funding, the department has through a competitive process made funds available to improve local skills in areas of high unemployment. This is quite clearly to ensure that local people share in the expansion of employment opportunities. Unlike when members opposite were in Government, while we are in Government we will do our utmost to provide the best opportunity for business to flourish, thereby providing more employment for all the people of the State.

PEPPER SPRAYS, WESTERN AUSTRALIAN POLICE

177. Mrs ROBERTS to the Minister for Police:

I refer to the minister's claim in a *Sunday Times* article on 1 August that all Western Australian police officers were to be armed with pepper sprays and ask -

- (1) How many officers have been issued with pepper sprays to date?
- (2) How many officers have been trained in the use of pepper sprays?
- (3) Has a training program been developed and when can we expect the completion of all training of the 4 600 officers in this State?
- (4) Given the unacceptable number of assaults committed against police officers every year, is the minister prepared to fast track this initiative?

Mr PRINCE replied:

I thank the member for some notice of the question.

- (1)-(4) So far, 81 police officers have been trained in the use of, and issued with, pepper sprays. The training program is being revamped to deliver training to officers everywhere in the State. It is intended not to train all 4 800 sworn police officers as some officers now perform no operational role. Any police officer with any form of street contact with people will be trained. I cannot give the member the exact number, but fewer than 4 800 officers will be trained. We intend to have every relevant officer trained by the end of the financial year; that is, by 30 June next year.