Parliamentary Debates
(HANSARD)

THIRTY-FIFTH PARLIAMENT
THIRD SESSION
2000

LEGISLATIVE ASSEMBLY

Tuesday, 27 June 2000

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

VISITORS TO PARLIAMENT HOUSE

Statement by Speaker

THE SPEAKER (Mr Strickland): On behalf of members I welcome to the Legislative Assembly Hon Terry McCarthy, the Speaker of the Legislative Assembly of the Northern Territory.

[Applause.]

FUNDING FOR CHARITIES

Statement by Premier

MR COURT (Nedlands - Premier) [2.03 pm]: I am pleased to announce that the State Government has decided to increase funding to charities, starting from July with the introduction of the goods and services tax. The importance of charitable organisations in helping provide services to the community cannot be underestimated and the Government is strongly committed to the continuing viability of these organisations.

The Government will, therefore, increase taxable grants to charities that are registered for GST purposes by 10 per cent. These charities will need to pay GST on their grants. The 10 per cent increase will ensure that they are not adversely affected by the GST. Under the commonwealth's legislation, all charities have the option of being registered for GST purposes, although charities must be registered if their annual turnover exceeds $100 000. In addition, the State Government will allow Western Australian charities providing private social welfare services to retain savings from tax reform. These savings will result from the abolition of wholesale sales tax and the reduction in the fuel excise. This includes organisations that operate on a not-for-profit basis and are established to benefit the community. Examples of organisations to benefit from this policy are residential hostels, associations that assist those with intellectual disabilities, soup kitchens, respite services, family abuse treatment services, volunteer emergency rescue bodies, animal protection societies and many other charitable causes. The policy is expected to benefit charities by around $2m in 2000-01, rising to $5m by 2003-04.

I point out that, despite discussions with the Federal Government, the Commonwealth will not provide any financial assistance for this policy. The State Government is acutely aware of the potential impact of the goods and services tax on the bottom line of charities and has decided to provide this funding increase to ensure the services they provide are not adversely impacted upon.

The Government will amend its funding where savings from tax reform are identified in government organisations that provide charitable services, non-government schools and private hospitals. This should not affect the overall capacity of these organisations to deliver services. This reflects the funding cut from the Commonwealth under the intergovernmental agreement on tax reform.

This Government is proud of its record in assisting community organisations. We have again listened to and acted on their concerns, and will continue to do so.

VOCATIONAL EDUCATION AND TRAINING ACT 1996, REVIEW

Statement by Minister for Employment and Training

MR BOARD (Murdoch - Minister for Employment and Training) [2.05 pm]: I inform the House of a report completed in May on the Review of Vocational Education and Training Act 1996. The VET Act provides the framework for the state training system, peak level industry representation and the establishment of a statewide network of autonomous TAFE colleges. Importantly, the Act provides for linkage with the Commonwealth's Australian National Training Authority Act 1992, in that it specifies the Western Australian Department of Training and Employment as the state training agency.

Prior to the VET Act, TAFE was governed by three Acts: the Education Act 1928, the Colleges Act 1978 and the State Employment and Skills Development Authority Act 1990. The VET Act brought these various functions together. The VET Act was also intended to replace the Industrial Training Act 1975 for the regulation of apprenticeships and traineeships. This part of the Act has not yet been proclaimed and, as such, was not a part of the review. Any changes to the Industrial Training Act will be addressed as a separate exercise.

Section 69 of the VET Act specifies that a review of the Act must be completed by 30 June 2000, and Hon Derrick Tomlinson MLC agreed to complete that review. The review commenced in early January this year. As a first step, letters were sent to more than 150 organisations and groups, inviting them to make a submission. Those contacted include industry bodies, TAFE colleges, employer organisations, the Trades and Labor Council, training administration bodies, public and private school organisations and some 50 private providers of vocational education and training. Submissions to the review from major stakeholders were generally supportive of the Act and the system it established, and indicated that there is no need for radical change. However, specific recommendations have been made to address interpretations of the Act.

In summary, the review of the Act has found that the VET sector is working well in Western Australia and all recommendations point to ways in which we can further develop a well-run system. The review has reported that in the three years since the Act has been in operation, the state training system has made commendable progress in achieving the objectives of the Act.

Hon Derrick Tomlinson has found that, over the next five years, the system will mature and new needs and directions for vocational education and training will emerge. For that reason, it is recommended that the Act be reviewed again at the end of five years. I now table the Review of the VET Act 1996.

[See paper No 1014.]

CITY OF COCKBURN

Statement by Minister for Local Government

MR OMODEI (Warren-Blackwood - Minister for Local Government) [2.08 pm]: I make a brief ministerial statement in relation to the councillors of the City of Cockburn. In April last year I suspended the City of Cockburn and appointed three commissioners. The elections due in May were cancelled. In May last year, I appointed a legal practitioner, Mr Neil Douglas, to inquire into the council. He was empowered, if he considered it appropriate, to make a recommendation about whether the suspended council should be dismissed or reinstated. Mr Douglas reported to me at the end of April this year and on 4 May I tabled his report, which recommended the council's dismissal.

In accordance with the provisions of the Local Government Act and in fairness to those immediately affected by the report, I invited the commissioners, suspended councillors and other persons concerned to comment upon the recommendations of the Douglas inquiry.

Having considered the comments I subsequently received about dismissal and other relevant matters, I decided to act in accordance with Mr Douglas' recommendation that the council be dismissed. Accordingly, I have recommended to the Administrator in Executive Council, and he has today so ordered that the City of Cockburn be dismissed. The three commissioners appointed while the council was suspended - Mr Julian Donaldson, Ms Jenny Smithson and Mr Murray Jorgensen - have been reappointed until a new council is elected. In regard to fresh elections, I have determined that Wednesday, 6 December 2000 will be election day. This date was chosen in conjunction with the commissioners and the Electoral Commissioner as appropriate for undertaking a full postal vote election.

A proposal to undertake a redistribution of ward boundaries and representation is currently being assessed by the Local Government Advisory Board. I understand that the proposal envisages the mayor being elected at large along with nine councillors. To obviate the need for a further election in May 2001 for half of the councillors, Governor's Orders have been made to provide terms of office expiring in May 2003 and May 2005.

I am aware of the view that some of the councillors not subject to adverse findings should be reinstated. This is not possible under the Local Government Act and may not be appropriate in this instance. I have previously acknowledged that some councillors were recognised in the inquiry report for endeavouring to ensure the council made decisions on proper grounds. A number of matters relevant to the suspension and inquiry process will be examined as part of the current review of aspects of the Local Government Act.

As a strong supporter and advocate of local government it gives me no pleasure to recommend the dismissal of a council. However, the matters concerned were of considerable gravity. The electors of the City of Cockburn will have the opportunity through a postal vote election on 6 December to determine the future of the council.

FAMILY AND CHILDREN'S SERVICES, FAMILY AND PARENT SUPPORT SERVICES FOR MEN

Statement by Minister for Family and Children's Services

MRS van de KLASHORST (Swan Hills - Minister for Family and Children's Services) [2.11 pm]: Hon Murray Nixon recently chaired a committee to review the Family and Children's Services family and parent support services for men. I now inform the House of the result of that review and the Government's response to the committee's recommendations.

The committee found there is a good range of family and parent support services available, but many men are not aware of them and do not access the services even when they are experiencing major difficulties in their personal and family lives. This was attributed to the male culture that men should cope with everything on their own. The Government's broad response to the report is to build on and strengthen existing services for all family members, including men. Improving the accessibility of existing services to men will also result in a greater range of male-friendly services across the State, ensuring services are suited to the local community.

In response to the committee's recommendations, the Government will publish a directory of family and parent support services for men in 2000-01, and include information of relevance to men on the Family and Children's Services' Internet site. Information will also be made available where men gather, such as work sites, sporting events and leisure activities.

The Government will produce a comprehensive information package for men on departmental and other services, such as the Family Court counselling service. The Government will conduct research on the most effective ways of increasing men's awareness of the services available and changing entrenched cultural attitudes. The findings of this research will form the basis of a future marketing campaign.

In 2000-01, one-off grants will be made available to services funded by the department to encourage them to better target men and to enhance their service delivery to men. The report found many agencies are innovative and effective in reaching out to men. The services will also be encouraged to include men in all aspects of service delivery.

Family and Children's Services will monitor the introduction later this year of the Commonwealth Government's national men's access line, to assess whether it meets the need for a men's information telephone service to provide information to men about available family and parent support services. Family and Children's Services currently runs the men's domestic violence helpline - a successful phone line that helps men deal with issues surrounding domestic violence.

The action to be taken as a result of this review will strengthen the essential role of fathers in families. It will complement the work of the Family and Children's policy office which has "the important role of fathers in families" as one of its focal points.

The role of men in families is a priority and the department will continue to improve its practice to include fathers in family decisions. The review of family and parent support services for men and the action plan I am tabling today provides a strong reinforcement of this direction.

I table the report of the committee reviewing family and parent support services for men and the response to the report.

[See papers Nos 1015A - B.]

[Questions without notice taken.]

NOTICE OF MOTION No 13

Removal from Notice Paper

THE SPEAKER (Mr Strickland): I advise members that private members' notice of motion No 13 submitted on 23 November 1999 will lapse and be removed from the next Notice Paper unless written notice is given to the Clerk requiring the notice to be continued.

PROSTITUTION BILL 1999

Assent

Message from the Administrator received and read notifying assent to the Bill.

MINISTER FOR HEALTH, NO CONFIDENCE

Matter of Public Interest

THE SPEAKER (Mr Strickland): Today I received a letter from the Leader of the Opposition seeking to debate as a matter of public interest the following motion -

> That this House has no confidence in the Minister for Health's handling of his portfolio.

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

[At least five members rose in their places.]

The SPEAKER: The matter shall proceed on the usual basis, now detailed in the standing orders.

DR GALLOP (Victoria Park - Leader of the Opposition) [2.50 pm]: I move the motion.

We could take up many issues in this Parliament about the Minister for Health's handling of his portfolio. We have had the disastrous reorganisations, restructurings and privatisations of our health system, which have left it struggling to meet the demands that are placed upon it. Indeed, we intend to make it a major issue at the next election. Another set of issues relates to this minister's systematic and deliberate misleading of the Parliament and the people about what is going on in his portfolio. It raises serious questions about the honesty of this minister in the way that he is handling his portfolio and reporting to the people and the Parliament on what is going on.

I take members back to the months before the last state election. Members will recall there was some controversy in Western Australia about whether there would be a gold royalty. The Government said it had no plans to impose a gold royalty and that all the arguments put up by the Opposition on the Government's intentions on this matter were simply the politicking of the Opposition. We all know that after the election, the Government went ahead with a gold royalty. Indeed, this was counter-posed to the statements that were being made before the election. An advertisement from the National Party in the Kalgoorlie newspaper states, "There will be NO gold tax!! This is NOT an issue!" It quotes the Premier, Richard Court, as saying, "It is not on the agenda and we have not included it in our 4 year forward estimates." The quote from the Deputy Premier says, "There will be no gold tax during the next term of government." Another quote from the Premier says, "A gold tax is not on our agenda." It is interesting that, following the election, the Government introduced the gold royalty into Western Australia. Following a freedom of information request by the Association of Mining and Exploration Companies, it was revealed that Treasury not only was working on the whole concept of a gold royalty, but also was developing strategies on how to neutralise opposition and gain public acceptance for this proposal. The misleading of the Government was exposed for all to see. Not only was the Government working on this proposal in the months

preceding the election, but also it was developing strategies on how to deal with opposition to the proposal, how to neutralise the proposal and how to get public support for the proposal. We have a coalition before and after scenario. Before the election, it told people anything; in fact, it misled them about what was going on. After the election, it did what it always wanted to do in any case.

I now turn to the Minister for Health, who let the cat out of the bag in this Parliament during the estimates debates, when he revealed that King Edward Memorial Hospital for Women might close and be relocated to Princess Margaret Hospital for Children. In *The West Australian* on 2 June he was reported as saying, "It is not a matter of simply raising money for the Government, it is to realise assets to provide better health facilities to provide better medical treatment." Such a statement was consistent with comments made by the Metropolitan Health Service Board that King Edward Memorial Hospital was an under-performing asset in the health system. The minister let the cat out of the bag. There was discussion in government on the relocation of King Edward Memorial Hospital. The Opposition has long said on this issue that the Government's strategy is to relocate that hospital. The revelation of that truth, of course, caused enormous concern in the community. There was a justifiable outcry, and the Government was placed in a damage control situation. How would it cover up what the minister revealed in his comments in the Parliament?

I can imagine the situation in the Premier's office and the office of the Minister for Health. They got together and devised a campaign to mislead the people of Western Australia. On 2 June the Premier guaranteed that King Edward Memorial Hospital would not be closed, moved or downgraded under a coalition Government. Where did that leave the poor old Minister for Health? He had to deal in his public commentary with the statements he had made in the Parliament.

Mr Day: You read what I said in the Parliament.

Dr GALLOP: I read a transcript of what the minister said on a radio program on 2 June, when he was talking to the people of Western Australia through the national broadcaster, the Australian Broadcasting Corporation. The minister's statement ruled out any change for five years; in other words, throughout the next term of government. He said that no work was being done, and there was no intention to relocate King Edward Memorial Hospital from its present site. He tried to defend his comments in the Estimates Committee by saying they were of the hypothetical type. This is wonderful political-speak by the minister. He said that if the Government were considering collocating King Edward Memorial Hospital on another site, the Princess Margaret Hospital for Children would be the logical site. He said that it was hypothetical talk and he was dealing with theoretical possibilities. I am sorry, minister, but when ministers are discussing these issues in Western Australia, or in any political system, theoretical possibilities do not matter. Either the discussion is going on or it is not; either the matter is being considered or it is not; and either plans are being drawn up or they are not. Theoretical possibilities are not discussed in government. The minister went further, when he was asked a direct question about whether work was going on in government, and he said -

> I was simply canvassing what possibilities could occur if we were looking at the possibility of relocating to another site, but that is quite different to saying that any work is being done in that direction and indeed there is no work, I've just been informed, being done within the Metropolitan Health Service in that respect either.

The minister said that no work was being done in government, and by that he meant within Cabinet, and he also said that no work was being done within the Metropolitan Health Service Board. He said he was talking only about theoretical possibilities and that was the end of the story.

The Government was so concerned about the matter that it took another step to try to placate public concern. The minister wrote a letter to *The West Australian* and said that if the Government were re-elected, its policy would be not to change the location of the King Edward Memorial Hospital. The minister was caught out making those comments in the estimates committee, and the Government embarked on a systematic strategy to mislead the people of Western Australia. It was the strategy of the Government to relocate the hospital and the Opposition has the proof in this Parliament to demonstrate that. I refer to a document prepared by the Metropolitan Health Service Board, the most senior public servants in Western Australia involved in health planning and looking at the future health system. What does this document state about King Edward Memorial Hospital? I quote from that document -

> If the target of 75% retention is attained by the community hospitals, it is envisaged that PMH and KEMH would be combined on a single site (probably PMH) as a 250 bed Womens and Childrens Hospital by 2010. This would enable the revenue from the sale of one site to be offset against the capital expenditure of redeveloping a single, tertiary Women's and Children's Hospital.
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> The site would close and activity would be moved to the Princess Margaret Hospital site. Sale of the land would raise $17-$21 million.
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> The activity would increase at the Princess Margaret site as it would encompass the activity from King Edward Memorial Hospital. This would require approximately $ccc. A multistory carpark would also need to be built across the road from Princess Margaret Hospital, which is estimated to cost $ddd.

There it is. Discussions about the relocation of the King Edward Memorial Hospital have been conducted at the most senior levels in government in Western Australia. The cat was let out of the bag during the Estimates Committee, and this Government set about systematically misleading the people of Western Australia; it is worse than that -

Mr Court: I will tell you what the Government's position is -

Dr GALLOP: I remind the Premier that the minister said no planning or consideration of these matters was being conducted within government. I repeat, the minister said that no work was being done within the Metropolitan Health Service Board in that respect. The minister is systematically misleading the people of Western Australia about a major issue. In the Legislative Assembly last week, the minister was asked a dorothy dixer about the future of the Graylands Hospital. By way of interjection, I asked the minister whether the Government had any plans to close it. The minister used the words, "Absolutely not". They were the exact words the minister used about the King Edward Memorial Hospital when Liam Bartlett asked him that question on ABC radio. I went on to ask the minister if any planning was going on to close the Graylands Hospital. "Absolutely not" said the minister. It could not have been a more clear response. Page 16 of the metropolitan health plan being considered within the health service of Western Australia states -

> This site would close and the activity would move into Royal Perth/Sir Charles Gairdner Hospital. The revenue raised from the sale of the Graylands and Selby Street sites would equal approximately $15.5 million.

It is there for all to see. The Government of Western Australia is considering the closure and relocation of King Edward Memorial Hospital and the Graylands Hospital. Any efforts on the part of this minister to conceal that fact from the people of Western Australia have been shown by this document to be a deliberate attempt to mislead the people of Western Australia. While this Government is telling people not to worry about what the Opposition is saying because it is scaremongering and not telling the truth, it is the minister who is not telling the truth to the people and the Parliament of Western Australia. Interestingly, a little bit of the truth snuck out during the Estimates Committee. The Government could not stand that truth being given the proper scrutiny in the community, and so it set up the machinery to misinform and mislead the people of Western Australia.

There is a pattern of cover up and deceit. Before the last election, the Government said it had no plans to introduce a gold royalty, while Treasury was planning to introduce it and work out how to deal with the politics of it. After the election, those plans came into place and it brought a gold royalty into the Parliament. The Government said it had no plans to close and relocate King Edward Memorial Hospital and Graylands Hospital, yet within the Government, the planning is being conducted, the documents have been written, and the matter is being raised to relocate those services. The minister and the Premier are telling the people of Western Australia there are no plans for or consideration of that. There is a pattern of deceit. The Government and the minister have been exposed for deliberately misleading the people of Western Australia. The minister knew what was going on; he let the cat out of the bag during the Estimates Committees. He is now trying to cover up his misdemeanour - from the Government's point of view - by not telling the truth. The time has come for this Parliament to make a statement about this minister and about his deliberate deceit of the people and the Parliament of Western Australia.

MS McHALE (Thornlie) [304 pm]: The motion before us is a statement of fact that there is a complete loss of faith in this Government's management of our precious health system. That loss of faith exists both within and outside of the health system. The Leader of the Opposition referred to the many significant indicators of malaise: Lack of funding, serious morale problems, unprecedented uncertainty and confusion, increased bureaucratisation and so on. However, the biggest and strongest indicator of malaise is the widely recognised view that this Government has bungled and mismanaged the problems and difficulties within King Edward Memorial Hospital - our women's hospital. I remind the House of the three major untruths about King Edward Memorial Hospital that this minister has promulgated, which have misled not only the Parliament but also the people of Western Australia. The three denials about King Edward Memorial Hospital remind me of the biblical story of the cock crowing three times. The first denial occurred earlier this year when we first found out that King Edward Memorial Hospital was experiencing problems and difficulties. The denial was about the real reason for the review. The minister knew in January that the hospital was experiencing problems with deaths and permanent serious injuries and incapacities, yet he deliberately and calculatingly withheld the truth from us all. He had the opportunity in February and March to tell the community about the problems, but he chose to obfuscate and continue to hide the truth. I remind the minister of what he said on 21 March when he indicated, in response to a question by me, that -

> Concerns have been expressed about the provision of services at the hospital and the MHSB is taking action to ensure that services provided in the future will be well resourced and provided in an appropriate manner.

To reiterate his response, he stated -

> I have been briefed by the MHS that the review is designed to ensure that obstetric services at King Edward Memorial Hospital for Women are appropriately provided and resourced.

That statement is far from the truth of what has happened at King Edward Memorial Hospital. Denial No 1 was about the review and the purpose of the review at King Edward Memorial Hospital. Denial No 2 occurred last week, again in this Chamber.

Mr Day: Do you support the inquiry? You are backing off now.

Ms McHALE: The minister announced the inquiry on 14 April. On that day, I rang his office to receive the terms of reference and the report, and he and I had a conversation. I said then that I supported the inquiry. I have criticised the minister for not holding a ministerial inquiry earlier. He called this inquiry reluctantly. I make it very clear that I repudiate the minister's allegations that I do not support the inquiry. I am on record as supporting it, and I am on record as saying that the concerns are of such gravity that the minister should have called the inquiry months earlier. If he had, we would not be in this situation. I told the minister that I supported the inquiry, and that my biggest concern was that women would

lose confidence in the State's women's hospital. The minister assured me that he felt exactly the same and that he would do everything to ensure that women did not lose confidence. We have subsequently found out that booked admissions have been reduced and that women are losing confidence in the hospital. However, that is not the issue - the issue is the second denial. Last week I asked the minister -

> Is the minister aware that there has been a significant reduction in booked admissions to King Edward Memorial Hospital for Women as a result of the government inquiry into the hospital?

The minister's retort was that he was not aware of any reduction in booked admissions and, in fact, the advice he had was that the level of admissions for the hospital was high. The minister tried to use that as a way of deflecting his own difficulties by suggesting that I was not supporting the inquiry. We read the next day that the hospital confirmed the very issue I raised with the minister - that the numbers had dropped significantly. The level of admissions had dropped by between 20 per cent to 60 per cent.

The second denial was that the Government's mismanagement of this difficulty had any effect on community confidence in the hospital. The third denial is the gravest and most unforgivable: The future of the hospital and the Government's intentions in respect of the hospital. It is unforgivable because this minister denied his own statements and advice which he had previously given during the Estimates Committee. The minister has denied the community the opportunity to have any confidence in his word and his commitment to the hospital. At the very least, one could say that the minister had the decency to suggest during the estimates hearings what was being considered, by implying that in five or 10 years the hospital could be moved to the site of the Princess Margaret Hospital for Children. Within 24 hours there was such an outcry and such a significant public backlash - and rightly so, for this Government had a nerve to suggest that what it really wanted to do was to move King Edward Memorial Hospital and sell the land - that damage control was needed to reduce the potential damage to this Government. The Premier then weighed in with his statements about the hospital staying. The problem is that the community does not believe the minister or the Premier.

Dr Gallop: For good reason.

Ms McHALE: For very good reasons, as there is a litany of previous examples where one thing has been said and another thing done: The gold royalty; the Midland workshops; AlintaGas; and the Clarkson railway line. King Edward Memorial Hospital is next on the list. The minister and the Premier have rigorously, vehemently and nervously denied that the Government has any intention of closing King Edward Memorial Hospital. They have tried to suggest that the matter has not been discussed in Cabinet. The document that we now have can be used by the people of Western Australia to judge this minister and the Premier on whether they can be believed. The document tells us that their word cannot be trusted. The document makes it very clear that in order to deliver the Government's agenda, a number of very serious decisions will need to be made, one being the closure of King Edward Memorial Hospital in order to sell the land. This is a working document of Western Australia's most senior health administrators and is very much part of the Metropolitan Health Service Board doing the bidding of this Government. They are doing what administrators should do: Modelling what would happen if the Government's policy was implemented, and putting into practice this Government's supposed policy for health. It is saying that if this Government's health policy is to be implemented - and heaven help us if it is - King Edward Memorial Hospital will have to close; Graylands Hospital will have to close; and other hospitals will have to be rationalised. In the face of criticism from this minister I have consistently said that government policy is undermining major hospitals, which need to operate interdependently, but that is not occurring.

I remind members of the content of the document. It indicates that Princess Margaret Hospital for Children and King Edward Memorial Hospital for Women will be combined on a single site by 2010. How less ambiguous can a statement be that says government policy means the closure of King Edward Memorial Hospital? The commitments to health by the Premier and the minister cannot be believed. Based on that policy the site will close, the activity at the hospital will be moved and the land will be sold for between $17m and $21m. In fact, the Valuer General valued the land at about $37m; therefore, the return would be somewhat higher. How, in all honesty and decency, could the minister say on radio, as he did, that no consideration whatsoever was being given to closing King Edward Memorial Hospital? How could he have it confirmed and reaffirmed by his supposed advisers that no work was being done within the Metropolitan Health Service to close the hospital? That statement has been proved to be untrue and the document to which I have referred completely undermines the word of this Government and its minister.

Without doubt there is no ambiguity in the Government's agenda. Although it has denied it vehemently, the Government wishes to close King Edward Memorial Hospital. The minister has made three denials over five or six months about plans for King Edward hospital. They are all false. I refer, first, to the truth about the review; secondly, to his view that there is no lack of public confidence - when in fact there has been a significant drop; and, thirdly, and most gravely, to his claim that there is no intention to close King Edward hospital - when it is written in black and white that there is such an intention. It is not a report by junior staff; it is a report by the most senior administrators who have experience in running our hospitals.

The words of the minister and the Premier about plans for King Edward Memorial Hospital have no credibility; therefore we have no confidence in the minister's management of the Health portfolio.

MR DAY (Darling Range - Minister for Health) [3.18 pm]: What a feeble motion this is; it contains no detail or specifics whatsoever. It is an indication that the Opposition's supposed health policy is all over the place. What a feeble attempt to crank up an issue when none exists.

I and the Premier have consistently made it clear that the Government has no plans and no intention to close or relocate either King Edward Memorial Hospital or Graylands Hospital. Nothing I am saying now is inconsistent with anything I have said previously during debate in this Chamber. If members read my statements during the estimates committee debate in *Hansard*, they will see nothing inconsistent with what I have just said. This Opposition is unable to have an intelligent discussion about the provision of health services from a much broader perspective of providing services closer to where people live. It has no comprehensive plans or policies whatsoever.

I reiterate what I said: There is no intention whatsoever by this Government to close or relocate King Edward Memorial Hospital or Graylands Hospital. The Opposition wants the public to believe otherwise because it desperately lacks a sensible and coherent policy for the provision of health services. The Opposition has a western suburbs and central business district centric view of providing health services. It has never been able to focus, in any debate that I can recall in this place or in the broader arena, on what a government can do or what it would do if it were in government, nor has it acknowledged the efforts of this Government to provide services closer to large population growth areas.

Dr Gallop: Therefore, you are going to close King Edward, are you?

Mr DAY: The Leader of the Opposition has heard what I said.

Dr Gallop: But you are lying, minister. Go to the motion.

Withdrawal of Remark

The DEPUTY SPEAKER: Order! I ask the Leader of the Opposition to withdraw that remark.

Dr GALLOP: Mr Speaker, I am sorry, the motion is that we have no confidence in the minister's handling of the health issue. The very issue we are raising is that he has not been truthful to the people in the Parliament. I urge you to consider that position.

The DEPUTY SPEAKER: I have considered it and I still do not like a member calling another person a liar. I ask the Leader of the Opposition to withdraw.

Dr GALLOP: Mr Deputy Speaker, I withdraw, and I intend to follow up that matter.

Mr Osborne: Is that a threat against the Chair?

Dr GALLOP: It is a disgrace. The standing orders allow it.

The DEPUTY SPEAKER: The Leader of the Opposition should not canvass the ruling.

Debate Resumed

Mr DAY: As I have said consistently, there will always be a need for King Edward Memorial Hospital, in particular to provide high level, high quality specialised services to women and infants in this State. Nothing will change that. However, this Opposition is unable -

Dr Gallop: What about the document which proves that what you are saying isn't the truth?

Mr DAY: I will come to that in a moment. This Opposition is unable to direct any attention, or give any support, to the provision of comprehensive health services to people in the northern suburbs, the south-eastern suburbs, the eastern suburbs or the rapidly growing southern suburbs of the Perth metropolitan area. It is possible to retain the services which are provided at King Edward Memorial Hospital and to continue to upgrade King Edward Memorial Hospital, as we have done, and - as I will reiterate in a moment in more detail - at the same time improve the services and facilities provided to people in the outlying parts of the metropolitan area and in regional and rural parts of Western Australia. We have heard not one word from the Opposition about the needs of people in rural Western Australia, in regional towns of Western Australia or in the outer suburbs of the Perth metropolitan area.

I find that most surprising as I would have thought that, given the constituents that some of the members opposite represent in their electorates, they would have taken some interest in what is being done at Armadale and the magnificent new hospital that is being built there. I had the pleasure of visiting that site again last week. It is much more than the development of a new physical structure. This Opposition is hung up about the provision of bricks and mortar. It cannot see past a physical building, albeit that we are building a magnificent new physical structure at Armadale. In reality, the development of the Armadale-Kelmscott Memorial Hospital, for example, is only part of the redevelopment of the Armadale health service; there are many other examples of where this has occurred. In Armadale, renal dialysis is being provided for the first time outside the centre of the metropolitan area so that people such as the constituents of the members for Thornlie, Armadale and Roleystone and others do not need to travel from one end to the other end of the metropolitan area of Perth to receive that lifesaving treatment.

More pertinent to the subject which has been raised by the Opposition are the increased and improved obstetric services at Armadale, Joondalup, Mandurah and the South West Health Campus in Bunbury. The Opposition is unable to look out of the centre of the metropolitan area and at the true needs of people right across Western Australia.

Mr McGinty: Did you tell the truth?

Mr DAY: There is nothing I have said that is not the truth. I will ram the truth home to the Opposition every chance I get.

Opposition members have done nothing to present anything like a coherent or comprehensive policy for the provision of health services in the State. They engage in stunt after stunt, negative issue after negative issue, and knock after knock. The only thing the Opposition can come up with is continual negativity and knock, knock, knock. That is their ethos from one end of the health debate to the other and in broader areas of government.

Mr McGinty: Tell the truth.

Mr DAY: The reality is that the Government is aware that the people of Western Australia, whether they be in the Perth metropolitan area or in rural areas, want high quality health services provided closer to where they are living. They want the same sort of standards of services that they associate with the high quality teaching hospitals, where it is safe to do so, closer to where they live. The Opposition is implicitly saying that if people happen to live in Clarkson, Byford, Armadale, Mandurah or Bunbury, they should come to the metropolitan area and visit the teaching hospitals. Opposition members are saying that they will provide people with specialised treatment if they make the effort to come to a teaching hospital, whether it be King Edward Memorial Hospital, Princess Margaret Hospital for Children, Royal Perth Hospital or Sir Charles Gairdner Hospital.

I fully accept that there are occasions, and always will be, when people need to travel for more highly specialised services, and in some cases less specialised services, to teaching hospitals. That does not mean to say that we should ignore the needs of people to have services, where it is appropriate, provided closer to where they are living. That has been the core of this Government's health policy. It is the fundamental difference between the interests of this Government in trying to suit the needs of the people of Western Australia wherever they may live, and the interests of the opposition members who can focus only on the small number of teaching hospitals close to the centre of the metropolitan health area.

Work has commenced on the construction of a new outpatient clinic at King Edward Memorial Hospital. As I have said in this place before, the existing outpatient clinic is substandard and should have been replaced earlier. Indeed, the Government made funds available in the 1996-97 financial year to undertake those works. However, a decision was made within the hospital not to apply the funds made available by the Government for the upgrading and refurbishment of the clinic; those funds were spent on other services in the hospital. When I had the opportunity of visiting the outpatient clinic for the first time, when I was first made aware of the need for the upgrading of the outpatient clinic at King Edward Memorial Hospital some 12 or 18 months ago, I made it my business to ensure that the upgrading would occur. I have taken a strong personal interest in making sure that a high quality outpatient clinic will be provided at King Edward Memorial Hospital, because it will be of benefit to both the staff and patients. The outpatient clinic will be located in the old A block in the main building of the hospital. I am pleased to say that finally work has started. It commenced on 12 June. The completion date is expected to be February 2001, which is later than I would like, but at least it is now happening. If there were any intention on the part of this Government or me, as Minister for Health, to close or relocate King Edward Memorial Hospital for Women, why would I have pushed for about $1.3m to be spent on the construction of a new outpatient clinic? It simply would not make sense.

In addition to the current work being undertaken at King Edward Memorial Hospital, a great deal of other work has occurred in the coalition's time in government. Indeed, it is interesting to compare -

Dr Gallop: We are all noting how you are avoiding the issue.

Mr DAY: I am not avoiding the issue. I have made clear what the Government's intentions are. Its intentions, unlike those of the Opposition, are borne out by the actions it takes - the actions to ensure that a new outpatient clinic is constructed at King Edward Memorial Hospital, and the actions which have been taken by this Government during its time in office over the past seven years to ensure that new equipment and new facilities are provided on the site of King Edward Memorial Hospital, in stark contrast to the last three or four years when the Labor Party was in government, when all it could fund for King Edward Memorial Hospital and Princess Margaret Hospital for Children was half a million dollars for a new car park.

Mr McGinty: Do you deny this report, minister, in which it is said that you will close King Edward Memorial Hospital and sell the land? That is the issue at stake here.

Mr DAY: I will deal with the report.

Mr McGinty: How about dealing with it?

Mr DAY: However, I want to make clear the stark difference between the actions of this Government in supporting King Edward Memorial Hospital and the actions of the previous Government when it had the opportunity to put some of what it is now mouthing into effect. All it could come up with in its last four years in government was half a million dollars for a new car park at Princess Margaret Hospital for Children. Indeed, I remember visiting Princess Margaret Hospital for Children, together with other members of the coalition, in the last term of government. That was long before I was Minister for Health so I had no particular interest from a Health portfolio point of view.

Mr Kobelke: You still don't; that's the problem.

Mr DAY: The only thing the Opposition can do to try to hang its hat on some sort of sustainable argument is to try to mislead the people of Western Australia about what the Government is doing. I remember being told by clinicians at Princess Margaret Hospital for Children of their great frustration in the last years of the Labor Government because they could not even get funding for new anaesthetic machines, for example, at that hospital.

The reality is that at King Edward Memorial Hospital the Government has provided funding: For example, $1m in 1995-96 for a general equipment upgrade; $400 000 for a new radiology screening unit; $550 000 for monitors and ventilators; $447 000 in 1998-99 for anaesthetic equipment; refurbishment of wards 3, 4, 5 and 6 at a cost of $2.5m; day surgery unit refurbishment at a cost of $600 000; special care nursery refurbishment at a cost of $1m; new family birth centre, $500 000; main corridor refurbishment, $40 000; and refurbishment of the oncology clinic, $600 000. Together with the $1.3m which is currently being expended on the construction of the new outpatient clinic, our actions and the provision of resources for King Edward Memorial Hospital, whether it be capital works, equipment provision or recurrent funding, speak for themselves. Indeed, in the financial year the Labor Party left office, funding for Princess Margaret Hospital for Children and King Edward Memorial Hospital was $103m. In the time we have been in office, it has grown to approximately $145m in the current financial year. Those figures speak for themselves.

King Edward Memorial Hospital is very well funded. It has been well provided for by this Government, and it has been both equipped and funded in such a way that it can provide high-quality and high-standard services. I do not deny that there is always a need for the ongoing replacement of equipment. Indeed, the Metropolitan Health Service, through the chief executive of the hospital, Michael Moodie, in particular, very sensibly commissioned the ECRI organisation about 12 months ago to undertake a comprehensive review of the equipment needs of both Princess Margaret Hospital for Children and King Edward Memorial Hospital. It has produced a rational document so that there can be proper planning and provision of resources over the next decade or so.

Since this report has been produced, further equipment upgrading and replacement has occurred: For example, anaesthetic equipment upgrading at King Edward Memorial Hospital, $447 000; cardiac services at Princess Margaret Hospital for Children, $830 000; and new foetal monitors at King Edward Memorial Hospital, $157 000; and I know that new cots and neonatal units have also been ordered by the chief executive of the hospital. The needs of the hospital are being attended to, and that has been done continually since we have been in government.

I will deal with a document which has been referred to by the Opposition. The Metropolitan Health Service can have whatever documents it likes. People can work on whatever projects they like. Hospitals are only relocated -

Dr Gallop: Can they? What a joke! You knew about that work when you spoke in the estimates committee hearing.

Mr DAY: Absolutely not. That is not the case. The Leader of the Opposition has not told the truth. He is making an assertion, but it is not the fact. A hospital will only be relocated or closed if there is a decision of the Cabinet of Western Australia. I make it clear that nothing in that respect will be before the Government.

Further to that, I am advised that no document that refers to land values at King Edward Memorial Hospital has been considered by the Metropolitan Health Service Board. It is not under consideration by the Metropolitan Health Service Board. Indeed, if any officer has done any work in that respect at some stage in the past, it has no meaning whatsoever for government policy. As the Premier and I have made very clear, the government policy is that King Edward Memorial Hospital will not be moved. We are continuing to upgrade the services and facilities which exist at that hospital, as I have demonstrated by what I have said and as this Government has demonstrated during my time as Minister for Health and during the time of my predecessors. Actions speak louder than words, and our actions bear out our support for King Edward Memorial Hospital.

The situation is the same with Graylands Hospital. As I indicated in this Chamber last week, planning work is being undertaken to consider the upgrading of the facilities at the Graylands Hospital site. There will always be a need for a tertiary centre of excellence for the provision of mental health services. We are seeking to provide services closer to home in all areas of health, whether it be obstetric services or anything else, and the same applies to mental health services. If I had more time, I could speak at great length about -

Ms McHale: You have 11 minutes.

Mr DAY: I know that other members, including the Premier, want to comment on this issue. I could speak at great length and reiterate what we have done to provide mental health services closer to where people live, whether it be in Bunbury, Albany, Armadale, Swan district, Broome, Kununurra, Derby or many other sites in Western Australia. The sentiment expressed by the Opposition in this motion is not borne out by what the Government has done, and it should be defeated resoundingly.

MR COURT (Nedlands - Premier) [3.40 pm]: There is no way the Government will support this motion. I want to make it clear that decisions about hospitals opening and closing are very important government policy decisions. This government has spent a lot of time making decisions about new hospitals that will be opened. We have not discussed King Edward Memorial Hospital for Women being relocated or closed. I want to make it clear also that the Government will always support having a hospital of excellence in this field. King Edward Memorial Hospital has an international reputation, and we have no intention of changing the location of that hospital. What we do have an intention of doing - this is something that the Opposition ignored when it had its time in government - is that we genuinely want to get the delivery of hospital services closer to where the people are. Historically, the major hospitals - Royal Perth Hospital, Sir Charles Gairdner Hospital, King Edward Memorial Hospital for Women, Princess Margaret Hospital for Children and Fremantle Hospital - are located along the river. We have had a deliberate strategy of making sure that with the new facilities, we can get those services closer to the people; hence the magnificent facilities at Bunbury, Mandurah and Joondalup, and the facilities that will shortly be built in Armadale. I have no doubt that as areas like Rockingham grow, they will also require

new hospital facilities. Members opposite can try their little tactics of saying that it is government policy to close King Edward. I assure members opposite it never has been and it will not be our policy; and that is it.

Dr Gallop: You keep saying that, and the minister keeps piping up and saying something different.

Mr COURT: We have demonstrated that and have been doing the exact opposite: We have been opening facilities and upgrading existing facilities. If people within the bureaucracy have come up with proposals, good luck to them. As the minister responsible for a number of areas, I have plenty of proposals presented to me. Members opposite should look at some of the beauties that come into my office and that people want to implement.

Dr Gallop: Like the belltower! That was a good one!

Mr COURT: That shows how serious they are! The Leader of the Opposition slept most of the way through the motion; now they want to trivialise it.

Mr McGinty interjected.

The DEPUTY SPEAKER: Order!

Dr Gallop: The belltower is working overtime for the Labor Party.

Mr COURT: The Leader of the Opposition thinks that is pretty clever. His Government made a commitment to do something with those bells, and he made a decision to ignore it and to not assist the university.

Dr Gallop: You are misleading the House again.

Mr COURT: No, I am not.

Dr Gallop: Yes, you are. You know you are misleading the House, and that is what makes it even worse.

Mr COURT: About the bells? The Labor Government made a commitment that it would assist in having the bells properly housed.

Dr Gallop: You are wrong.

Mr COURT: That shows how serious members opposite are; all they want to talk about is bells and not the very serious issue of health.

This Government has increased its expenditure in the health area by nearly 7 per cent a year. We have made a huge commitment. We have performed in delivering new hospitals where they are required, and in upgrading existing hospitals. This motion is just a furphy. At no time has this matter been a part of government policy -

Ms McHale: You are missing the point.

Mr COURT: Why am I missing the point? If it is not a part of government policy -

Ms McHale: Because your minister said there are absolutely no plans -

Dr Gallop: And there are plans.

Mr COURT: No. I can assure members opposite that this Government has no plans; end of story.

MRS HODSON-THOMAS (Carine) [3.46 pm]: I rise in support of the Minister for Health, and I would particularly like to draw members' attention to the Joondalup Health Campus, which services my electorate, the electorate of the member for Kingsley and Minister for the Environment, and the electorates of the members for Joondalup and Wanneroo. I imagine that the member for Girrawheen's constituents also go to the Joondalup Health Campus.

I remind members that Wanneroo Hospital was a 90-bed hospital before it was decommissioned. Joondalup Health Campus is a 335-bed facility which provides 265 public beds and 70 private beds. Joondalup Health Campus is a perfect example of what the Premier and minister have reiterated today - namely, that this Government is committed to providing health services closer to people's homes - and it has been a real positive for the communities in my electorate.

The Auditor General's assessment of the Joondalup Health Campus is very timely. The minister made a comment about that in question time today and indicated that the Auditor General had given a very good assessment of the Joondalup Health Campus. I encourage members to read the "Summary of Performance Examination" by the Auditor General, which points out clearly that -

> Hospital funding to the JHC/Wanneroo site has tripled in the last four years, and is likely to continue to grow at a steady rate under the Department's new metropolitan health plan - 'Health 2020'.

MR OSBORNE (Bunbury) [3.48 pm]: I also reject the motion. Anyone who goes to Bunbury and looks at the building that now stands on the corner of Robertson Drive and Bussell Highway will see crystal clear the reason that I reject the motion that this minister and the Government have mishandled the Health portfolio. All members of this place should know that the South West Health Campus is a $68m historic collocation between the public and the non-government sector on the university site. It is part of this Government's drive to make medical services available in the areas of population

growth. It is also a major change from the situation that existed when we first came into government, and it is a drive that the Labor Party has consistently rejected. As soon as the collocation in Bunbury was announced, the Labor Party came out in strong opposition to it in support of the status quo - the major teaching hospitals in Perth and the concentration of medical services in the metropolitan area. The people of Bunbury know from that time, and also as a result of the shameful debates and attacks that have been made by the Labor Party since that time, that the Labor Party opposes the South West Health Campus in Bunbury and it opposes the location of services for the people of the south west in their city.

The objective of the South West Health Campus was to retain medical activity in the south west. We calculated that about $30m-worth of health activity was going out of the region. That is no longer the case. Most of the patients who had to go to the metropolitan area for medical attention can now be treated close to their homes. That means they receive better medical attention. It also means that because they do not need to go to the major teaching hospitals and incur transportation and accommodation costs, the taxpayers get a better deal out of it, although obviously that is a secondary consideration. The level of acuity of cases which are currently being treated at the South West Health Campus is a great improvement on what was available in previous years. The budget has also increased from approximately $22.5m of recurrent and non-recurrent expenditure in the south west in 1997-98 to $32m today. That is proof positive that this Government has a genuine commitment to improving the quality of health service in the south west. As well as a better health service, there has also been an increase in the number of medical specialisations. The establishment of the Val Lishman foundation will bring to fruition the genius of the idea of establishing this hospital on the university site, and that foundation will focus on rural health issues.

I reject the motion. When the minister was in the south west last Saturday to launch the south west strategic health plan, those at the forum told him and told us that the minister was among friends; and I know that the carping, wrongful and damaging attacks that the Opposition makes on health care in the south west, and the members opposite, were the last thing on their minds on that day.

DR GALLOP (Victoria Park - Leader of the Opposition) [3.49 pm]: The truth has a remarkable habit of sneaking out. It is interesting to look at the debate in this Parliament in 1998 when the then Minister for Health, the member for Albany, conceded that King Edward Memorial Hospital was nearing the end of its life and could be sold. He said, "It has been said to me informally a number of times that the building and the site have a life which will come to an end in 10 to 15 years . . . and some planning must commence in the near future on how, with what and where it is to be replaced." Of course, on the next day, the Premier said that there were no plans to sell King Edward Memorial Hospital. Then we had the Estimates Committee and the truth bubbled up and came out again. The Minister for Health told us that there are plans in the system that would enable King Edward Memorial Hospital to be relocated to Princess Margaret Hospital for Children and for the site to be sold for money.

Mr Day: I did not say that at all. When you start speaking the truth, we might get a bit more from you.

Dr GALLOP: Every time the truth comes out, it must be suppressed and that is when the Premier comes in with his campaign of misinformation. This is a deliberate strategy by the Government to mislead the people of Western Australia. We saw it with the Midland workshops, AlintaGas, Westrail and the gold royalty. This Government has been caught out not once, but four or five times, misleading the people of Western Australia about these significant issues. What is the significance of this misleading strategy by the minister? The significance is that every time he does it, he further undermines the morale of the people working under him in the health system. Those good people working in the health system at King Edward Memorial Hospital have an important and difficult job to do. Every time this minister conceals from them what is going on with the Government about their future, it undermines their morale. This is not just a case about the credibility of the Government and the minister; this is a case study into how one undermines the good operations of the health system.

I conclude by reminding the minister, again, that on ABC Radio he said -

> . . . I was simply canvassing what possibilities could occur if we were looking at the possibility of relocating to another site, but that is quite different to saying that any work is being done in that direction and indeed there is no work, I've just been informed, being done within the Metropolitan Health Service in that respect either.

That is just plain wrong. Here are the work, the plans and the considerations. Obviously they are the considerations that filtered through to the member for Albany when he was Minister for Health, and which filtered through to this Minister for Health when he let the cat out of the bag during the estimates hearing. The credibility of a minister in these issues is at the heart of good government. This minister has no credibility, this Government has no credibility, and the Parliament of Western Australia should send that clear message to them.

Question put and a division taken with the following result -

Ayes (16)

Mr Brown	Mr Grill	Mr McGinty	Mrs Roberts
Mr Carpenter	Mr Kobelke	Mr McGowan	Mr Thomas
Dr Edwards	Ms MacTiernan	Ms McHale	Ms Warnock
Dr Gallop	Mr Marlborough	Mr Ripper	Mr Cunningham *(Teller)*

Noes (29)

Mr Ainsworth	Mr Day	Mr MacLean	Mr Pendal
Mr Barnett	Mrs Edwardes	Mr Masters	Mr Shave
Mr Barron-Sullivan	Dr Hames	Mr McNee	Mr Trenorden
Mr Board	Mrs Hodson-Thomas	Mr Minson	Dr Turnbull
Mr Bradshaw	Mr House	Mr Nicholls	Mrs van de Klashorst
Dr Constable	Mr Johnson	Mr Omodei	Mr Wiese
Mr Court	Mr Kierath	Mr Osborne	Mr Tubby *(Teller)*
Mr Cowan			

Pairs

Mr Riebeling	Mr Prince
Ms Anwyl	Mrs Holmes
Mr Bridge	Mr Marshall
Mr Graham	Mrs Parker

Question thus negatived.

JULIMAR STATE FOREST

Motion

MRS EDWARDES (Kingsley - Minister for the Environment) [4.00 pm]: I move -

> That the proposal to amend the notified management plan purposes for the Julimar state forest laid on the Table of this House on 20 June 2000 by command of His Excellency the Governor be carried out.

It is proposed to amend the purposes notified in the Forest Management Plan 1994, for which the Julimar state forest is managed, by deleting timber production on a sustained-yield basis as a purpose. The Julimar state forest has an area of 28 600 hectares of predominantly wandoo woodlands and is east of Chittering and Bindoon.

The Conservation and Land Management Act 1984 lists the management purposes for indigenous state forest. These purposes must be specified in the *Government Gazette* notice required when a management plan has been approved. The Act also requires any amendment to the published purposes for the management of indigenous state forest to be approved by both Houses of Parliament in the same manner as when state forest is cancelled.

The approval notice for the current forest management plan 1994 lists all of the purposes specified in the Act as purposes for which the south west state forest may be managed. Timber production on a sustained-yield basis is one of the listed purposes for which all south west forests, including Julimar state forest, will be managed. However, timber production ceased in about the mid 1970s.

The Regional Forest Agreement has committed the Julimar state forest to become an interim forest conservation zone in which timber production will be excluded. This commitment is similar to the forest management plan 1994 recommendation for the Julimar state forest to become a conservation park in which timber production would also be excluded. When mineral prospectivity issues have been resolved, the Julimar interim forest conservation zone will become a conservation park.

The proposed removal of timber production, as one of the notified management purposes of the Julimar state forest, has been endorsed by the Lands and Forest Commission, the body in which state forest is vested. The Department of Conservation and Land Management has also received advice from the Crown Solicitor's office on the need to amend the notified management purposes for Julimar. I commend the motion to the House.

Debate adjourned, on motion by Dr Edwards.

STATUTES (REPEALS AND MINOR AMENDMENTS) BILL 1998

Second Reading

Resumed from 29 March.

MR McGINTY (Fremantle) [4.04 pm]: This is an extensive piece of legislation with very little consequence other than to provide for a tidying up operation. The Opposition supports the legislation. It is probably important to record what this legislation will do. As indicated by its name, the Bill seeks to repeal some outdated legislation and make what are essentially semantic and grammatical amendments to other legislation.

Among the more major amendments is the repeal of the Dried Fruits Act 1947. The Bill will also repeal the Snowy Mountains Engineering Corporation Enabling Act 1971 and the Wundowie Works Management and Foundry Agreement Act 1966. Other Acts to be amended by this legislation include the Beekeepers Act 1964, the Building Societies Act 1976 and the Conservation and Land Management Act 1984, which important legislation requires a number of amendments. Also tucked away among the schedule of Acts to be amended is the Constitution Acts Amendment Act 1899, which relates to

disqualification of persons for membership of the Legislative Assembly. That may be of some interest to some people. The Country High School Hostels Authority Act 1960 is amended as is the Country Housing Act 1998, the Dental Prosthetists Act 1985 and the Education Service Providers (Full Fee Overseas Students) Registration Act 1991. The explanatory memorandum that comes with the Bill further spells out that the Electricity Corporation Act 1994 is amended as is the Grain Marketing Act 1975, the Health Act 1911, the Health Services (Conciliation and Review) Act 1995, the Hospitals and Health Services Act 1927, the Interpretation Act 1984, the Land Administration Act 1997, the Licenced Surveyors Act 1909 and the more recent Local Government Act 1995. The Local Government (Miscellaneous Provisions) Act of 1960 is also amended as is the Metropolitan Region Town Planning Scheme Act.

As I indicated, the list of Acts amended by this legislation is extensive. It includes the Mines Safety and Inspection Act 1994, the Mining Act 1978, the Misuse of Drugs Act 1981, the Nurses Act 1992 and the Osteopaths Act 1997. Most of the other health professions are affected by this legislation, including the Physiotherapists Act 1950. Also affected are the Petroleum Pipelines Act, the Plant Diseases Act 1914, the Police Act 1892, the Public Sector Management Act 1994, the Public Works Act 1902, the Racecourse Development Act 1976, the Racing Penalties (Appeals) Act 1990, the Reprints Act 1984, the Road Traffic Act 1974 and the Strata Titles Act 1985.

A number of amendments are being made to different sections of the Strata Titles Act which go on for quite a number of pages until the Town Planning and Development Act 1928, the Transfer of Land Act 1893, the Transport Co-ordination Act 1966, the Valuation of Land Act 1978, the Vocational Education and Training Act 1996, the Western Australian Greyhound Authority Act 1981, and the Western Australian Treasury Corporation Act 1986. Eight Acts are amended relating to cheques. The Bill amends an extensive list of Acts of this Parliament. Each amendment is of a minor, technical, drafting nature. As best I could read them in context, they pose no particular issues of principle which need to be resolved. Statutes repeals and minor amendments Bills are of a minor nature. Accordingly we indicate our support for this Bill.

MR McGOWAN (Rockingham) [4.11 pm]: This matter is of little consequence because the Bill merely contains some tidying-up provisions. The Bill will not occupy the Parliament's time for a great period. It may be a matter of great consequence to some people, and it is important that the Parliament deal with these issues. I do not want to delay the Parliament for a long time with my comments on this matter. Many members are concerned about the Bill. I look forward to hearing the comments of the member for Nollamara.

MR KOBELKE (Nollamara) [4.12 pm]: I appreciate the contribution made by my colleague who preceded me and gave me the opportunity to get back to the Chamber from having a cup of tea.

The ACTING SPEAKER (Mr Masters): The member's colleague before him was pretty good too!

Mr KOBELKE: This Bill contains a range of minor matters relating to the repeal of obsolete legislation, the correction of drafting and typographical errors and updating legislation through minor changes. Corrections in some cases include the definite article "the", which sometimes is needed to be inserted or has been duplicated and must be removed. There may be incorrect references to various sections in an Act. Those sorts of matters need to be fixed, and that is done by this Bill. The Bill updates a range of small matters in various statutes, which may be because of a change in name. Two examples relate to unions, where a union over time has changed its name and is recognised in a statute as being able to nominate a representative to a board or like organisation. An example is the Australian Nursing Federation, which used to be the Royal Australian Nursing Federation. One of the amendments in the Bill is to remove "Royal" from the title of the union.

The minister said in his second reading speech that the changes are generally short and non-controversial. It certainly appears that way from reading through the whole range of amendments that we are making. According to the second reading speech, the amendments must be such that they do not impose or increase any obligation or adversely affect any existing rights. I seek further assurance from the minister that that is the case, particularly where some of the changes have a retrospective application. I want to take up a few issues, using the explanatory notes, and seek some clarification. It may be that answers can be provided while I am on my feet or in the minister's response at this second reading stage, so that we do not delay the matter by taking it further in the consideration in detail stage.

The first thing I wish to refer to is the change to the Education Service Providers (Full Fee Overseas Students) Registration Act 1991. The amendments in the Bill affect clause 13 of that Act. The amendments followed from a review because section 50 of the Act provides for a review of the Act after three years of operation. Section 50(1) states that the review must be undertaken by an independent party. The Department of Education Services called for tenders in October 1996. Accordingly, Stanton Partners, chartered accountants and consultants, were the successful tenderers. The review was the result of broad consultation with the international education industry in Western Australia. A questionnaire was sent to all registered providers resulting in an 80 per cent response rate. The reviewers also sought further advice from individual providers on matters raised in the questionnaire. In addition, written submissions were received from relevant agencies, student groups and major stakeholders. Clause 13 of the Bill takes carriage of a number of minor amendments to the principal Act.

Without going through the provisions, the advice received from the Crown Solicitor's Office supports the amendment to section 3(1). Interestingly, that advice is dated 21 January 1997, so three and a half years later we are concluding the recommendations on the amendments to the Act. One would find that a whole range of changes in this Bill have been sitting around for quite a while. It is appropriate that they be brought into this Bill because these Bills do not come regularly, and this is a way of fixing up a whole range of minor issues. I would like the minister to comment on whether there are any further matters of review of the Act. A big problem occurred some years back with the collapse of a number

of private service providers of educational services, particularly providers to overseas students. I suspect that these changes have not gone to the wider range of issues relating to the provision of educational services for overseas full-fee paying students. It involves a very important industry for Western Australia, which had got a bad name due to the collapse of some providers some years ago. It may be that administrative changes have been adequate to address these problems and that these minor amendments complement those. I would like some indication of whether an ongoing review or some exploratory work is being done to see whether there is a need for further changes in that area.

The amendments update the Hospitals and Health Services Act 1927 and allow for its functioning by utilising more modern technology. I saw this kind of amendment nowhere else. I wonder whether we should see these clauses in a range of areas, because it seems to make very good sense. Clause 5 of the schedule to the Act is headed "Quorum" and reads -

> To constitute a meeting there must be not less than one half of members present.

The difficulty with that is that members of the board might be in different parts of the State and it is more convenient to use teleconferencing facilities to hold a formal meeting. The Bill inserts new clause 5A, which states -

> **Telephone and video meetings**
>
> Despite anything in this Schedule, a communication between members constituting a quorum under clause 5 by telephone, audio-visual or other electronic means is a valid meeting, but only if each participating member is capable of communicating with every other participating member instantaneously at all times during the proceedings.

That seems a sensible reform and I hope it will be available in a range of statutes, although boards under other Acts may not be restricted by such quorum requirements, may not meet outside Perth or may not have a considerable number of members living outside of Perth. The amendment is a good step. Is the Government investigating whether a similar provision is needed in other statutes? If it is not needed, why? It may be the way the legislation is constituted; however, if the provision is not needed simply because other boards and committees established by government are dominated by Perth residents, we should ensure that such a provision is included so that people who live outside metropolitan Perth can be involved in the decision-making bodies of government. It would be a good thing for Western Australia and for regional areas if modern telecommunications enabled a higher level of involvement of people from outside metropolitan Perth in such bodies.

The explanatory notes for the clauses amending the Public Sector Management Act state -

> The amendment as proposed will introduce a statutory requirement for notification in the *Gazette* of any act by the Governor under subsection (1). This will lead to the appropriate indexing of actions taken under Section 35 and the keeping of records in respect of them.

As it stands now, section 35 of the Public Sector Management Act states -

> The Governor may, on the recommendation of the Minister -
>
> (a) establish and designate departments;
>
> (b) amalgamate or divide existing departments and designate the resulting department or departments;
>
> (c) abolish departments; and
>
> (d) alter the designation of existing departments.

Those provisions remain in the Act, but two new subsections are proposed, which state -

> (2) Notice of any act by the Governor under subsection (1) is to be published in the *Gazette*.
>
> (3) An omission to publish a notice under subsection (2) does not invalidate the act of the Governor.

The amendments to the Act are an administrative improvement and I commend the Government for introducing a system of recording departmental changes in the *Government Gazette* so that those changes can be indexed. It will be much easier to follow the decision-making processes that lead to the establishment or abolition of or the changes to government departments or agencies.

The explanatory notes show that section 5A of the Public Works Act became invalid after 7 December 1993 when the Office of Government Accommodation ceased to be a department and was replaced by the Government Property Office, which is now part of Treasury. Other clauses in the Statutes (Repeals and Minor Amendments) Bill 1998 relate to that power of Treasury; however, I am not dealing with those at the moment. The explanatory notes state -

> The new clause will allow a delegation of authority to the Treasurer so that GPO can continue its activities under the Public Works Act.

However, I cannot find any explanation in the explanatory notes or the Treasurer's second reading speech for subclause (2), which states -

> The purported exercise or performance by a Minister or the Crown other than the responsible Minister of any power conferred or duty imposed on the responsible Minister and purportedly delegated to the Minister of the Crown under section 5A(f) of the Act, as in force during the period beginning on 7 December 1993 and ending immediately before the commencement of this section, is validated and declared to have been lawfully exercised or performed by that Minister of the Crown.

That is a retrospective validation. No explanation has been provided about the number of decisions for which this retrospective validation is required; whether any real challenge to those decisions has been made; or whether there are no challenges on the horizon, and the amendment is simply a tidying-up operation because the Government's advisers have found there is a potential problem with those decisions not being valid. I would like a detailed explanation about the reasons for the retrospective validation. How many acts or decisions are potentially caught by it? Has some form of liability been identified for which retrospective validation is required?

Clause 39 amends the Road Traffic Act. The explanatory notes state -

> The *Road Traffic Amendment Act 1997* provided for a restructure of the penalty provisions contained the *Road Traffic Act 1974*.
>
> Included in these amendments was the introduction of Penalty Units and a general doubling of the value of monetary penalties for offences other than for drink driving.
>
> One Penalty Unit equals $50.
>
> Due to a drafting oversight the penalty for the failure to return the number plates where a licence was obtained by a dishonoured cheque was overlooked.
>
> This amendment will express the penalty for this offence in Penalty Units (PU) and increase the monetary value of the penalty from $50 to $100 for a first offence, and from $150 to $300 for any subsequent offence.

Are people who may not have been guilty of that offence prior to this change caught by the change to this legislation? What is the full effect of tidying up this drafting oversight? Have prosecutions been initiated against people where it was subsequently found that there was a problem in proceeding with those? Does the Bill rectify the problems in those cases, or is it tidying up the legislation because the legal advisers have found a loophole exists? No explanation is provided about how many people have escaped prosecution because of this loophole. Have there been cases where court action has been dismissed or lost on the basis of this drafting error?

The last matter that I believe is more than just a minor change relates to clause 39(3), which further amends the Road Traffic Act. The explanatory notes state -

> The *Road Traffic Amendment Act 1997* provided for a restructure of the penalty provisions contained in the *Road Traffic Act 1974*.
>
> Included in these amendments was the introduction of Penalty Units and a general doubling of the value of monetary penalties for offences other than for drink driving.
>
> One Penalty Unit equals $50.
>
> Due to a drafting oversight the maximum penalty for driving under disqualification was overlooked.
>
> This amendment will express the penalty for this offence in Penalty Units (PU) and increase the monetary value of the penalty from $2,000 to $4,000.

If the maximum penalty for driving under disqualification were overlooked, what would be the current maximum penalty? Is it an actual amount in the Act by default? I do not know whether the Premier has an answer to that. Is there no maximum penalty? How have the courts been interpreting this current situation? Have cases been found where it has proved to be a problem or, I reiterate, are we simply being advised that there could be a problem that needs to be tidied up? It looks like a major problem in an area of driving while under disqualification. On some estimates, some 50 000 Western Australians drive without a valid drivers licence, mostly through some form of disqualification. People have been charged and taken to court under a range of offences for which they were found guilty for the death of people while driving under disqualification; it is a serious issue. It comes as a surprise to find that due to a drafting oversight, there is no maximum penalty in the current Act for driving while under disqualification. I would like an explanation for what is the situation, and what would be the effect of fixing this anomaly? I do not want to go into the minor detail; I have picked out a half a dozen issues of substance. I have not addressed the Acts that have been repealed. I am accepting the advice in the Premier's second reading speech and in the explanatory notes as the reason for those repeals. The matters I have raised open up bigger issues of ongoing importance. I would appreciate a response by the Premier to the questions I have asked.

MR COURT (Nedlands - Premier) [4.32 pm]: I thank members for their contributions to the debate. This legislation has taken a couple of years to get to this point. It has gone through the committee stage in the Legislative Council. Most of the changes in this Bill are of a minor nature. The member for Nollamara suggested that there should be more major changes to the legislation relating to the education service providers.

Mr Kobelke: Could I rephrase that question? There was a major problem five or six years ago with the collapse of some

of these service providers, so there was a need for a major review. The Premier's second reading speech suggests that these changes are minor. I am not saying there should be more major decisions, because perhaps through administrative procedures we have fixed some of the issues. If there is a need for an ongoing review and further amendments, I am seeking advice about whether that is the case, or whether the Government's current position is that it believes that with these amendments it is now on top of the issues? The Minister for Education is certainly on top of it!

Mr COURT: I cannot specifically comment whether there is a need for more amendments to that area, but I will raise it with the minister on an appropriate occasion. As to the quorum requirement provisions in the Hospitals and Health Services Act, the explanatory notes clarify -

> . . . how the quorum requirements are prescribed in the Act for meetings of public hospital boards can be satisfied using telephone, audio-visual or other electronic means of communication.

The member is asking whether this provision should be extended to other boards.

Mr Kobelke: That should be the principle, as I am sure the Premier would agree. It is a matter of whether there is a need for such legislative changes to make it effective for other boards. There may not be the need, it may already be applicable to them because they are not caught by the constraints that apply in this Act.

Mr COURT: I cannot specifically comment on it. However, more and more of those board meetings are taking place with one or two people at the meeting using that type of technology. I cannot comment on what the situation is with other pieces of legislation.

Mr Kobelke: Can the Premier give an undertaking to find out whether there is a need to address a range of other statutes to ensure there is no limitation on meetings to be able to function according to their statutes and involve people who are not physically at the meeting?

Mr COURT: I give a commitment to the member that I will see what the situation is with the other boards.

I will have to get further information on clause 35 of the Public Works Act. However, I believe it is trying to simplify the current administrative practices by the Government Property Office. I will provide further information on clause 35.

Mr Kobelke: When will we receive that information?

Mr COURT: I will get it to the member as soon as I can.

Mr Kobelke: The difficulty is that the Opposition does not want to hold up this Bill because the Bill will be finished and there will be no opportunity to further explore the consequences of those changes.

Mr COURT: The committee did not spend time on that issue. The Government will provide further information. Is the member asking for it now?

Mr Kobelke: It looks like we will not get it. If I accept the Premier's undertaking that everyone has looked at it, and whatever the answer might be, it will not be of great consequence. Because everyone has covered the issues, I will have to accept that.

Mr COURT: I will give the member a guarantee that I will provide that in writing.

The member asked what the current penalty is under the Road Traffic Act because it was overlooked and has increased from $2 000 to $4 000. I understand the member is asking how the courts are treating it currently before this amendment goes through. I thought it would still be the old penalty of $2 000, but I will have to clarify that. Is the member inferring that the current penalty is nothing?

Mr Kobelke: The current explanatory notes state -

> Due to a drafting oversight the maximum penalty for driving under disqualification was overlooked.

I take it from that that it was not inserted into the statute. Where does that leave a judge or a magistrate when determining the maximum penalty they can set? Maybe they default to general court rules or to other parts of the legislation.

Mr COURT: Again, I do not have that specific answer. I will find out how it has been treated for the member. I will provide the answers to the questions the member has asked.

Mr Kobelke: There was a similar explanation under the Road Traffic Act regarding the failure to return number plates.

Mr COURT: That was clause 39(1).

Mr Kobelke: In both those circumstances, do we have some idea of the number or type of cases which have been brought to the minister's attention?

Mr COURT: I was hoping to get an answer to the question the member asked concerning the Road Traffic Act, but I have not. What was the question on the failure to return the plates?

Mr Kobelke: The explanatory notes state -

Due to a drafting oversight the penalty for the failure to return the number plates where a licence was obtained by a dishonoured cheque was overlooked.

Mr COURT: Does the member want to know how many cases we are talking about?

Mr Kobelke: If there are cases that have come forward.

Mr COURT: I am told that under that previous Bill it defaulted to the general powers of the court to impose fines. I will give the member for Nollamara that answer in writing.

Mr Kobelke: It sounds like the difference might be in the tidying-up.

Mr COURT: I will give the answer about dishonoured cheques. I do not think many will be involved, but I will provide specific answers. I appreciate the member's support for the Bill and I will get the detail to him.

Question put and passed.

Bill read a second time.

Third Reading

MR COURT (Nedlands - Premier) [4.41 pm] I move -

That the Bill be now read a third time.

MR KOBELKE (Nollamara) [4.41 pm]: I will make brief comments in the third reading debate. I appreciate the Premier's seeking to answer the questions I asked. I appreciate they range across a number of portfolios, and I would not expect the Premier to answer detailed questions on specific Bills which are not his ministerial responsibility. I appreciate the Premier has tried to answer the questions from the notes available to him, and has given an undertaking to provide specific written answers to a couple of those questions. As the Premier has rightly said, some of the amendments contained in this Bill have been around for a long time. It has been the custom for some time to gather up minor amendments and bring them together in a statutes Bill of this type which seeks to repeal and make minor amendments. It is difficult when something may have been in the process of gestation and consideration for several years, and finally sees the light of day in this Bill, for the Premier to have all the details which led to the change or amendment. I gather from reading the amendments and comments by the Premier that in many cases the legal advice to the Government is that there is difficulty in the way the legislation is drafted, there is an omission and it has not been brought on by a case in the courts, or concern exists about a major loophole. That is in keeping with the introductory remarks that say these amendments are of a minor nature and not of great consequence. As the Premier said, given that no-one has raised major concerns on these matters in committee in the other place when one would assume it would have been brought to light, I accept a general undertaking by the Premier to provide answers. I thank the Premier for the response he has given so far and look forward to receiving more detailed answers to the questions about which he gave undertakings.

MR BROWN (Bassendean) [4.43 pm]: As the Premier has offered to provide information to my colleague the member for Nollamara, he might also provide me with information at the same time. I refer to the proposed change to the Building Societies Act in clause 7. The notes accompanying the Bill read -

> Administration of the *Building Societies Act* 1976 (the Act) was transferred from the Attorney General to the Minister for Housing in August 1994.
>
> It was not appropriate to transfer the position of Registrar Co-operative and Financial Institutions to Homeswest as the position is responsible for other statutes, notably the *Friendly Societies Act* 1894 and the *Co-operative and Provident Societies Act* 1903.
>
> Homeswest officers were appointed as Deputy and Assistant Registrars to administer the Act on behalf of the Registrar.
>
> Statutes (Repeals and Minor Amendments) Bill 1998 presents an opportunity to repatriate administration of the Act to the appropriate officers in Homeswest, that being the Chief Executive Officers of the organisation.
>
> Clause 7 of this Bill also validates all previous acts of, or in the name of the Registrar of Co-operative and Financial Institutions.

The intention of this change is to provide for the registrar to be the chief executive officer of the relevant department of the Minister for Housing. Is that appropriate under the Building Societies Act - it is not an Act I know well, although I have had some dealings with it prior to coming into this place - in which the registrar is required to act in an independent way, at arm's length from government? For example, under section 10, "Valuers", the registrar may -

(a) approve any person who, in the opinion of the Registrar, has the necessary professional competence and experience for the purpose, to be a valuer for the purposes of this Act; and

(b) may revoke any such approval or any appointment of a valuer made by the Minister under section 3D of the repealed Act.

I raise the issue of a potential conflict between the functions that are carried out by the registrar and the functions of the

chief executive officer of the Ministry of Housing. The ministry is a purchaser of housing and a builder of houses. In that context the ministry is from time to time required to use the services of valuers, and the registrar is required to exercise independent discretion as to whether a valuer should be admitted. There is a potential, given that the Ministry of Housing is a service organisation, for its CEO to have a view of a valuer from a service organisation perspective, and as the registrar the CEO would have a different view of a valuer from a professional perspective. We have a perceived potential for conflict in that respect. Equally, the registrar is required to carry out and to bring an independent mind to other roles, and that should not be the mind of a service provider. The CEO of the Ministry of Housing is the CEO of a service provider - that is, public housing and low-priced housing for the market. Equally, the ministry must deal with and have arrangements with building societies. The ministry has contracts with building societies. We will have a situation in which the CEO of the Ministry of Housing, a person who would formally enter into those contracts on behalf of the Government, is also the registrar of building societies who determines the future of those societies and whether investigations are to be made into them or whatever. From my limited understanding of this there are times when building societies, and particularly terminating building societies, take a different view from that of the Ministry of Housing on housing policy, interest rates and a range of issues. There may be points of conflict over the administration of contracts between the Ministry of Housing and building societies. We will have a situation in which the CEO of the Ministry of Housing is also the registrar. That person, as the CEO of the ministry, will have contact with the building society, in terms of finance, not only as a service provider, but also as the registrar in determining in certain circumstances the role and conduct of those societies and other matters. In providing the information that the Premier has indicated he will provide to the member for Nollamara, he might also indicate whether that matter has been looked at and that no potential conflict of interest exists between that senior officer - who is very competent - being the CEO on the one hand and the registrar on the other.

MR COURT (Nedlands - Premier) [4.51 pm]: I thank members for their comments. I will seek some advice from the Minister for Housing and others about the issues raised and provide a response.

Question put and passed.

Bill read a third time and passed.

CHILD SUPPORT (ADOPTION OF LAWS) AMENDMENT BILL 1999

Second Reading

Resumed from 16 March.

MR McGINTY (Fremantle) [4.53 pm]: The Opposition supports this legislation. In so doing, I draw attention to the inordinate delay in bringing this matter before the House, which has resulted in prejudice to a number of parents raising exnuptial children. This Bill applies the commonwealth amendments to the child support scheme, which came into effect 12 months ago on 1 July 1999. Those amendments to the scheme, as they relate to exnuptial children, are applied by this Bill to exnuptial children in Western Australia.

We often hear in debates that the Family Court of Western Australia is an example of a cooperative scheme between the Commonwealth and the State and that its legislation provides a model for other pieces of legislation. Based on the experience of this legislation and the prejudice that is accorded to exnuptial children or their parents, the Bill has not worked in an ideal or a fair way. The Western Australian Family Court Act requires ongoing amendment in response to amendments passed by the Commonwealth Parliament to apply those amendments. That situation has arisen because of the constitutional arrangement whereby the Commonwealth has power in respect of marriages. Having legislated in pursuance of that power, and every other State in Australia's having referred powers in respect of exnuptial children to the Commonwealth, when the Commonwealth legislates, that legislation applies the length and breadth of the country except to exnuptial children in Western Australia. Complementary legislation is then required in this State to give effect to the commonwealth legislation. A delay of 12 months since the commonwealth law came into effect before it is dealt with in this Parliament is sufficient reason to question the wisdom of maintaining the Family Court of Western Australia in its current constitutional arrangement. That arrangement is unique in the Commonwealth and acts to the detriment of parents and children in exnuptial arrangements in this State.

I will illustrate that point with a simple proposition. The commonwealth legislation proceeds on the basis that every non-custodial parent is required to make a contribution towards the upkeep of his or her children. That provision is reflected in the legislation before the House. The commonwealth legislation prescribes a minimum contribution of $5 a week by a non-custodial parent. Many people in Western Australia make a contribution towards the upkeep of their exnuptial children. However, many children and their custodial parent are missing out because of the path this Parliament has decided to embark upon in recognition of the constitutional arrangement between the Commonwealth and the State.

The Family Court is not a highly desirable, utopian constitutional model of cooperation between the Commonwealth and the State because the legislation does not operate fairly. It does not operate fairly because of the requirement that the State Government pass complementary legislation that appears to have a significant built-in time delay. It is four years since the Parliament last dealt with a matter of this nature, and the same time delays attended the introduction of that legislation, which extended the conciliation services of the Family Court to exnuptial arrangements and implemented a range of other amendments. That time delay left out in the cold parents or exnuptial children in Western Australia, and that is unfortunate. However, it can be overcome with a political will on the Government's part. The Government could say that legislation of this type is a top priority and determine that it will be dealt with as soon as the commonwealth legislation comes into

effect. It is hardly controversial; it is not something that would attract the opposition of either side of the House. However, because it has been given a low priority, the legislation operates unfairly.

The Government did give priority to the introduction of the Bill - it was introduced last year - but it has been languishing on the Notice Paper for nine months. As a result, many people - predominantly low-income earners - have missed out on the benefits that flow from it. I urge the Government to give these matters a higher priority in future and to bring them before the Parliament so that they can be dealt with expeditiously rather than languish on the Notice Paper. This legislation is more important than the legislation we have just dealt with, which repealed the Dried Fruits Act and amended a few other exciting pieces of legislation. This issue is at least contemporary and affects thousands of people in their day-to-day lives.

This Bill gives effect to changes to the commonwealth legislation, which came into effect on 1 July 1999 but which was passed by the Commonwealth Parliament in December 1998. That is an additional reason that delays are unnecessary. If we know what is in the commonwealth legislation and it is passed by that Parliament well before it comes into effect, there is no justification for the State's being tardy and imposing a 12-month delay on people who would otherwise be the beneficiaries of the legislation.

I will refer briefly to the content of the legislation and the changes it will make for exnuptial children in Western Australia. I appreciate that some members of the Government might have difficulty with the concept of exnuptial children. I gather from reading *The West Australian* over the past couple of days that some members of the Government frown on the practice of having children out of wedlock, but it is fact of life and must be dealt with.

The basic formula for determining child support payments is changed by the legislation. As I have indicated, these amendments are designed to bring Western Australian exnuptial children into line with children of marriages and exnuptial children elsewhere in the Commonwealth. They already apply to children of marriages in Western Australia, and have from the beginning. The basic formula is amended. A person's taxable income was previously the yardstick used. That is now made somewhat more flexible to take into account a range of other factors when determining the income and, therefore, the contribution towards the support of the child. I draw attention particularly to the guaranteed minimum payment of $5 a week from a parent who must contribute towards the support of a child. Too many people are making no contribution towards the support of their children at the moment. The introduction of a child support minimum amount is to express that it is the primary responsibility of parents to care for their children. The incomes used in assessment, again, will take into account a range of factors beyond the current arrangement in which only taxable income is taken into account. There are enhanced processes involving the estimation of income, where the estimates of that income are relied upon to determine the level of child support to be paid by a non-custodial parent. The care arrangements and other changes to assessment processes are also detailed in the minister's second reading speech. The Bill also deals with parents' rights and responsibilities.

The Opposition would have supported this legislation 12 months ago, when it could have been introduced. It was introduced some time later than that. It deserved higher priority than it has been afforded. The Opposition will be pleased to see the legislation pass through the Parliament today, to ensure uniformity of laws for children from marriages and children from de facto relationships and, more importantly, uniformity throughout the length and breadth of the Commonwealth. This is the last State to come into line with these arrangements. For those reasons, the Opposition indicates its support for the legislation.

MR CARPENTER (Willagee) [5.02 pm]: I will make some brief comments on this legislation, principally in my role as the Labor Party's spokesperson on Family and Children's Services. It is worthwhile stating and underscoring the Labor Party's position on principle to begin with; that is, children throughout Australia, whether from a marriage or exnuptial relationship, should be treated equally under the law. They should be treated no differently in relation to child support. It is unfortunate that under the circumstances which have prevailed and will prevail until the passage and enactment of this legislation, that principle has not applied in Western Australia. Under the laws on child support in Western Australia at the moment, children from exnuptial relationships are treated differently from children whose parents are married. The amendments we are adopting seek to remedy that situation, and not before time. Legislation does not emerge from the Commonwealth Parliament without some prior notice. The commonwealth legislation under discussion was passed in 1998 and came into effect in July 1999. There was ample opportunity for this Parliament and the Attorney General of this State, during that process, to prepare reciprocal legislation, so that the legislation would apply in Western Australia on the date of the application of the changes to the commonwealth legislation. I have read the second reading speech of the minister in the other place in relation to this matter, and I see no explanation for why that did not occur. It is regrettable, and members on both sides of the Parliament should bear in mind that when it is necessary to mirror commonwealth legislation, so that certain groups in the community are not disadvantaged, this Parliament should act promptly to ensure that the legal rights of all citizens of Western Australia are protected.

The genesis of this legislation is the commonwealth Child Support Act 1988, which introduced a new system for the collection of child maintenance. This legislation designated the commonwealth Commissioner of Taxation as the Child Support Registrar, and made the commissioner responsible for registering and enforcing maintenance orders and agreements. It is some time since the passage of that legislation, but I recollect it was the spur for the now famous words of the then Prime Minister that no Australian child would live in poverty. By 1990 the then Commonwealth Government was enacting legislation to ensure child maintenance payments were made for children in the event of family breakdown, and the then Prime Minister hoped that would ensure no Australian child would live in poverty. It was a major social reform, which was long overdue.

Western Australia has its own Family Court, which is a state court, and its own Family Court Act. The Family Court of Western Australia exercises both federal and state jurisdiction, and Western Australia is unique in Australia in that regard. When changes to the commonwealth law are made, if those changes are to apply in Western Australia, complementary legislation must be adopted in this State. A raft of amendments have been made to the 1988 legislation which, by and large, this Parliament has adopted. The existing Western Australian legislation, the Child Support (Adoption of Laws) Act 1980, adopts commonwealth legislation concerning the child support scheme, but the commonwealth legislation applies to exnuptial children only in States which refer power over the maintenance of children to the Commonwealth or which adopt commonwealth legislation. That presents a problem in Western Australia. The package of reforms effected by the Commonwealth since 1994 is substantial, and not adopting the changes has led to significant differences between the treatment of nuptial and exnuptial children in relation to the benefits of the child maintenance scheme.

There was clear recognition at the time that the process embarked upon is necessary, and it is unfortunate that it is overdue. Western Australia, unlike other States, did not refer its legislative power over family matters to the Commonwealth Parliament, and its method of dealing with child support, following the introduction of the child support legislation in 1988 which came into operation in 1989, was to adopt legislation to permit the child support regime to have effect for exnuptial children in Western Australia. That has been done on two occasions: First, when WA adopted the scheme in 1990 and, second, when it passed legislation in 1994 to adopt changes to the child support scheme for exnuptial children which had applied elsewhere in Australia from 1 July 1993.

When this issue was looming as a potential discrepancy, which would adversely affect exnuptial children and their supporting parents in Western Australia, Hon Nick Griffiths moved an urgency motion in the other place asking the Government to act more promptly. In his motion he pointed out that the changes under the federal Act would take effect from 1 July 1999. He was addressing that issue well in advance of that date, but was unable to prompt the Attorney General into action to ensure the legislation we are now addressing was passed through this Parliament in a more timely manner. The Act passed through the federal Parliament in 1998 and received assent in December 1998. People in Australia, particularly Western Australia, interested in these matters were aware that the law changed in Western Australia on 1 July 1999. We are now a year on from that change to the federal legislation. In that intervening year, children of exnuptial parents and their supporting parents have been at a relative disadvantage when compared with children of married partners.

We must accept that, as a matter of principle, all Parliaments in Australia have recognised that children must be treated equally before the law. There is perhaps no more important legal issue that relates to the protection of the wellbeing of children than the issue of child support. It reflects poorly on the Parliament of Western Australia that a year on from the passage of the commonwealth legislation we are still debating, albeit with general agreement, that Western Australia must adopt mirror legislation to that which the Commonwealth has passed.

This side of the House gives full support to the passage of this legislation. The only criticism we make is about the timing of this legislation, which points to a lack of priority that this Government and its ministers have given to these very important social issues that affect so many people and children in Western Australia. The passage of this legislation is well overdue and we support it.

MR BARRON-SULLIVAN (Mitchell - Parliamentary Secretary) [5.11 pm]: To refresh members' minds, I shall start by clarifying what the members for Willagee and Fremantle have already stressed; that is, the key objective of this legislation is the alignment of relevant state legislation with commonwealth legislation to ensure that exnuptial children in Western Australia obtain the same benefits under the child support scheme as do nuptial children. Both members opposite referred to the delay in getting to the stage of bringing into the Parliament these amendments to the legislation to bring uniformity to these provisions. I am perhaps not as close to this debate as is the Attorney General, although I understand the matter has been canvassed in the other place. However, it is fair to say that in the early stages of legislative consideration, it was necessary to give a great deal of detailed scrutiny to the legislation. Both members opposite have pointed out that this type of legislation affects people's lives directly and, obviously, has a direct bearing on the welfare of children in this State. It is important that this Parliament ensure that any legislative changes in this area are effected in the most correct way possible.

I heard what the members said about the amount of time taken to bring this legislation into the Parliament; however, I stress that we must get it right. Undoubtedly, discussions and debates will continue throughout the nation about a range of policy issues on child support. I know that as individual members we are all approached by families who are affected and who seek advice in one way or another about child support matters. It is a very difficult and complex area. Even with these changes, we will still not have a perfect system, an aspect of the system for which it will be very hard to strive. One member briefly mentioned the minimum payment requirement. That requirement will reinforce the principle that parents must have a fundamental responsibility in this area. However, even in that area some parents have raised with me the issue of whether that is an entirely appropriate provision. The amount of debate on individual policy matters about child support will only continue over time. However, this legislation will improve matters by streamlining the degree of uniformity between the Commonwealth and the State.

I thank the members opposite for their support - albeit with their qualified remarks about the time it has taken to get to this stage - and for ensuring the rapid passage of this legislation.

Question put and passed.

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

RESTRAINING ORDERS AMENDMENT BILL 2000

Second Reading

Resumed from 14 June.

MR McGINTY (Fremantle) [5.15 pm]: Again, the Opposition is happy to indicate its support of this Bill. Some brief comments should be made about the Bill.

This is a Bill primarily about children and about extending the protection of restraining orders to children. Considerable comment has been made over time about the effectiveness of restraining orders. It is often observed that one of the unfortunate aspects about restraining orders is that they are not taken seriously by far too many people. That is a matter which I hope will be addressed, if need be, by stronger penalties for breaches of restraining orders or by the relevant authorities and officers taking restraining orders more seriously.

I was disturbed recently to read a decision of a single judge sitting in either the District Court or the Supreme Court on an appeal from a magistrate's decision. When dealing with an assault against a woman who was protected by a restraining order, the appeal court judge said that as the breach of the restraining order and the assault were really one act, two penalties - one for the breach of the restraining order and one for the assault - should not be prescribed. Essentially, the judge said that one penalty should be applied as that is what would have been applied for an assault in the circumstances in which it occurred. Therefore, we are seeing not only the males in a relationship thumbing their noses at restraining orders, but also its being sanctioned at the highest judicial levels in this State. That causes some concern and it worried me when I read that decision. In sentencing the offender for the serious assault committed against the woman, the court should have imposed an additional penalty for the breach of the restraining order, although the breach and the assault arose out of one event. The words used by the appeal court judge indicated that the breach of the restraining order was not a particularly important factor when sentencing that person.

Having made those comments that some people - judges, people the subject of restraining orders or the police - do not appear to regard restraining orders as serious orders of the court that should be fully enforced, the Opposition is pleased to see expanded by the legislation the circumstances in which a restraining order can be issued to protect a child. Under the current legislation, an application for a restraining order to protect a child must be made by a parent of that child. One does not require too vivid an imagination to envisage circumstances in which it is inappropriate to rely on a parent or guardian to make an application for a restraining order in order to protect a child. When the parent is the person against whom the restraining order is sought, or when the conduct of the parent places a child in jeopardy, it is obviously inappropriate to rely on that parent to seek a restraining order to protect the child. Circumstances could arise in which a parent is not prepared to seek a restraining order to protect the child. A raft of potential circumstances could be involved. Unfortunately - it is a fact of life - the parent sometimes cannot be located to make the order to protect the child. Therefore, it is important that another person can make an application to a court for a restraining order to protect a child. This is particularly evident in circumstances in which the need for a restraining order comes to light following the intervention of a child welfare officer of Family and Children's Services. Often when the intervention of a child welfare officer is necessary, it is not appropriate for the parent to seek the restraining order to protect the child. Consequently, it is appropriate that the Bill extend this power so a child welfare officer can seek that order. A number of consequential changes flow from the need to incorporate the child welfare officer in the class of persons who can seek an order on behalf of a child.

The second major change is to expand the circumstances in which a court can grant a restraining order. I refer to what is required to happen in a court so that a restraining order might be issued by that court. The usual course is that an aggrieved person applies to a court for a restraining order, and that is dealt with by a magistrate; usually, it is granted. It may become apparent to a judge or an appropriate officer in court proceedings that a restraining order is appropriate. The court currently has no power to act in those circumstances to grant a restraining order as the order must be subject to separately initiated proceedings.

This legislation deals with circumstances in which a court, particularly the Children's Court when hearing care and protection applications, can make a restraining order. The court can grant a restraining order during the proceedings without the need for a separate application to be made for the order. The Opposition agrees with that change. The court would be able to grant the order upon its own motion or upon the application of a child welfare officer during the course of care and protection application proceedings before the Children's Court. Also, a child welfare officer will be able to apply on behalf of a child for a restraining order and to vary or cancel an order or register an interstate or foreign restraining order. The Opposition agrees with those changes.

The other important area in which restraining orders will arise is during Family Court proceedings. This Bill extends the provisions of the Restraining Orders Act to a court hearing proceedings, either under the Family Court Act 1997 or the commonwealth Family Law Act 1975. The Bill details a number of circumstances in which a court exercising family law jurisdiction can make a restraining order on its motion, on the application or a party to the proceedings or the application of a person who gives evidence in the proceedings. The Bill also limits the making of an application for a restraining order to certain circumstances in the Family Court. These are well spelt out in the minister's second reading speech.

A court exercising family law jurisdiction will have the power to make a restraining order to protect not only children, but also other people - usually the woman in a relationship, unfortunately. A power is included for an application to be made

not to the Family Court for a restraining order, but for the court to grant a restraining order during the course of proceedings. In most cases application will be made to a magistrate, which is the normal procedure. When it becomes apparent during other proceedings - be it in the Family Court, the Children's Court or other courts dealing with the family law jurisdiction - the court can issue a restraining order. The Australian Labor Party agrees with those timely matters.

In the same way that opposition members have supported the restraining orders legislation and its improvement over time, we lend our support to the amendments before the House. Although they are not earth shattering, it is appropriate that an extension be granted in the capacity to make or seek restraining orders for individuals, particularly children, in Family Court proceedings. That is an improvement to the legislation which will facilitate the greater protection of children and people subject to violence. We support the legislation.

MR BARRON-SULLIVAN (Mitchell-Parliamentary Secretary) [5.28 pm]: As with the previous legislation, the importance of this Bill must be measured by its intent of protecting children in the State. The member for Fremantle spelt it out succinctly. If this legislation helps to protect only one child and prevents one unfortunate situation arising, it will be well worthwhile.

Essentially, this legislation will ensure protection of individuals through the use of restraining orders in cases in which the application is currently unworkable or impractical. As the previous speaker indicated, only a parent can apply for an order in certain instances, which is clearly impractical because the requirement for the order arises from the parent's conduct or because the parent is simply not available to carry out the necessary arrangements. This legislation will expand the range of people who can apply for an order, which will diminish those consequences of limited availability of orders.

The other point touched on by the member for Fremantle was the legislative vacuum regarding the period of time between a child's situation coming to the attention of a child welfare officer and the Children's Court making the child a ward of the State. That vacuum is to be filled by this Bill. It is possible for other parties to apply for restraining orders. Importantly, the Bill limits the remaking of an application for a restraining order in the Family Court or a court exercising family law jurisdiction to situations in which the court is hearing family law matters. Parties will not be able to apply to the Family Court generally for restraining orders or to commence proceedings by filing such an application. A restraining order cannot be used under these provisions other than for the genuine intent for which it is designed.

I thank the member for member for Fremantle and members opposite for their support of the legislation. The quicker that we can proclaim the Bill, the better.

Question put and passed.

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

LIQUOR LICENSING AMENDMENT (PETROL STATIONS AND LODGERS' REGISTERS) BILL 2000

Second Reading

Resumed from 14 June.

MS WARNOCK (Perth) [5.30 pm]: The Opposition supports this amendment Bill. It arose in response to a decision by the Liquor Licensing Court in January 1999 to refuse an application for a liquor store licence by Gull Petroleum (WA) Pty Ltd which wanted to sell liquor at a roadhouse in upper Swan. I remember attending some of those hearings as the shadow minister at the time. I thought it was an interesting dilemma, which I will outline in just a moment. Predictably, at all these liquor licence hearings one could round up the usual suspects: People from the hotel trade, the liquor trade, the petroleum trade and interested members of the public - the anti-drink driving lobby, the health lobby and so on. I sat through a day or so of these hearings to hear the arguments, and I was interested in the decision of the court. Apparently the judge's decision was based not on the fact that the applicant ran a petrol station but rather that the premises was at the start of a major highway - that is, the Great Northern Highway. The judge commented that until the time he made the decision on Gull's application Parliament could have legislated against the sale of liquor from petrol stations, but it had not done so. Presumably the Government now believes it is prudent to do that, which is why this legislation is before us now.

The Opposition had a discussion about this at the time Gull's application was heard at the beginning of last year. It was our view that the Government had taken the right line on this. I certainly support the Bill, despite the perhaps predictable objections of the Motor Trade Association of Western Australia, of which I am sure my colleague the member for Geraldton would be aware. It is principally aimed at discouraging impulse buying of liquor at service stations, particularly at the start of a long journey. Rather as chocolate at the checkout counter in a supermarket tends to lead shoppers to impulse buying - do we not all know that - the Government wants to discourage drivers from buying easily consumable liquor at the service station checkout, thereby dissuading people from drinking and driving. Obviously there is a view that there is a bad message in selling liquor from a business which is so close to the means of driving a car. Exceptions are made for some country towns in which the roadhouse that sells petrol and liquor is literally the only place in town. We all know places in the bush in which that is the case. If that is the case, an exception will be made. Exceptions have also been made for five locations in the outer metropolitan area such as Byford, where one already exists.

One might say that there will be places in which packaged liquor outlets are not that far from a petrol station. All of us know suburban pubs where one drives into the drive-in to get packaged liquor and just over the way is a petrol station. However, the purpose of this Bill is to place a small psychological and symbolic barrier between the purchase of takeaway

liquor and setting out to drive, perhaps on a long and tiring journey on a country road. Although it is a small matter to attempt to discourage excessive drinking or inappropriate drinking in this way, I can see that that psychological barrier may work and it is a good idea. Disconnecting the idea of drinking from driving may operate to make only minor changes in attitudes However, if it saves one life it is worthwhile. That is the message that this legislation sets out to convey. That seems to be a good message in general. It should be seen as some part of an anti-drink driving campaign. Although service stations will probably be put out by it, it will please hotel and liquor stores. I have seen correspondence that suggests that is the position in which we find ourselves. This safer driving message is a good one. In general, it is a good idea - even in a small measure like this - to try to dissuade people from thinking about drinking when they are about to drive. We already have those frightening random breath test vans around the suburbs. All of us have learned to avoid them whenever possible. They have a strong message, like those cameras with which the Deputy Premier and I are so familiar that take unfortunate photographs of one around the suburbs.

Mr Cowan: Never a good likeness.

Ms WARNOCK: The Deputy Premier is right. One always hopes that when the photograph is taken there is an appropriate person next to one in the car. Apparently that was a grave problem for drivers at the introduction of speed cameras. This technique of trying to persuade people not to drive fast caused all sorts of problems for some people, but clearly not the Deputy Premier and me.

However small an item this might be in the arsenal of techniques for trying to persuade people to drive carefully and safely and not to drink and drive, it is worthwhile. That is why the Opposition supports this Bill.

One other small matter is dealt with by this Bill. Although it is not particularly connected with that issue, I guess from the material I have about the Bill that it is another matter that came up in discussions about the Liquor Licensing Act. Somebody asked for it, and the Government decided to include it in this amending Bill and to make a small amendment. I suspect the hotel trade is interested in this. The Bill will reduce from six years to two years the time a hotel licensee is required to retain a register of lodgers. A lodger is a person who spends a previous night, or is booked to spend a forthcoming night at a hotel. At one stage of our society's history it was a means of social control. It was used that way in Europe. The idea was that if the police were looking for a person, a hotel was a place they could begin to look and hotel licensees were obliged to keep a register of people that the police might be trying to track down.

Mr Cowan: Even if they were six years too late.

Ms WARNOCK: As the Deputy Premier said, there does not seem to be any reason to keep the register for six years, and it is sensible to reduce the requirement to two years. I assume the list is still required for those purposes, although I have not spoken to the police about it. The Opposition agrees with the changes as there does not seem to be any reason for continuing to require registers to be retained for that length of time.

The Opposition supports the Bill. It seems to be a good mechanism for persuading people that it is not sensible to drink and drive. Although it is a small measure, it sends the right message and should therefore be applauded.

MR KOBELKE (Nollamara) [5.40 pm]: The member for Perth has explained the reasons for the Opposition's support of this Bill. The Bill covers one of those difficult areas in which consumer convenience must be weighed against the health and safety considerations of a local community. We agree that even though we may be forgoing an element of convenience by not allowing petrol outlets to sell liquor, bigger issues need to be taken into account. This legislation sends the message that the dangers of the increased likelihood of people drinking and driving are too great to be countenanced and, therefore, it is not appropriate for retailers to hold a petrol station licence and a liquor licence for the same premises.

The number of road fatalities and serious road accidents in Western Australia is appalling. The State's safety record was once the best in Australia; it is now the worst. That assertion is supported by the government reports on road safety that have been tabled. The Government needs to tackle road safety through a range of measures that are not the subject of this Bill. However, if the measures contained in this Bill were not introduced, we would send the wrong message to the community that there is no need introduce other measures to allay our serious concerns about the high level of road trauma and the unacceptably high number of deaths on our roads, much of which - although not all - is associated with alcohol. A range of social problems are associated with alcohol, and for that reason the licensing and sale of alcohol is covered by special legislation. The Opposition supports the Government's proposal. We do not think the collocation of liquor outlets and petrol retail outlets is appropriate. The member for Perth has adequately covered the other matters in the Bill and I will not waste the time of the House by repeating them.

MR COWAN (Merredin - Deputy Premier) [5.44 pm]: I thank members opposite for their support of the legislation and respond to the comments of the member for Perth, which were reinforced by the member for Nollamara. The member for Perth indicated that this legislation had been drafted because of a court judgment in early 1999 in which the judge made it clear that the Liquor Licensing Act was silent on the issue of the collocation of liquor outlets and petrol stations in the metropolitan area.

Mr Bloffwitch: They have a liquor store at the petrol station in Binnu.

Mr COWAN: The member for Geraldton knows that this amending Bill occupies the space and the pages that it does because it provides for exemptions in small country or outer metropolitan areas where a combined or semi-combined liquor and fuel retailing outlet already exists. The legislation is not designed to curtail those operations and provides for multiple

licensed operations - which would include petrol and liquor retailing - in small country areas which have only one retail outlet. The member for Perth acknowledged, and the second reading speech stated, that the legislation ensures that the Liquor Licensing Court has the power to prevent the sale of petrol and liquor from the same premises, except in the few exceptions referred to by the member for Geraldton, the member for Perth and me. The legislation is designed to reinforce the State's drink-driving campaign by preventing the impulse purchase of packaged liquor. I am not sure whether anyone has measured the extent to which packaged liquor is purchased on impulse. I know I do not purchase liquor on impulse, but I guess many people do. Some of us might drink on impulse, but we do not purchase on impulse.

The member for Perth spoke about the amendments that require people who keep premises where lodgers can stay to maintain a register for only two years. The Police Service wanted to retain the requirement to keep the register for six years because it meant there would be a longer period over which it could check information. However, it accepts that, in this day and age, two years is adequate; it is not arguing the case. The police were made aware of the proposed change and we consulted with them. Although they indicated their preference for the preservation of the status quo, they were comfortable with the reduction of the requirement to two years. The change should assist, to some extent, the owners of hotels or other premises where people can book a room to maintain records and will enable them to get rid of records that are more than two years old. Nothing sinister is proposed, and I do not think anyone suggested there is.

The members who spoke on the Bill identified that the January 1999 judgment made it clear that the Liquor Licensing Act was silent on the issue of collocation. The Government does not want liquor sold on the same premises as petrol products if it can be avoided. This legislation sends a clear message to the general public and the Liquor Licensing Court that the Government does not condone collocation, other than in exceptional circumstances in which a community has only one general retail outlet, that is regarded as providing a service by selling those things that would normally be readily available from separate outlets.

I thank members for their support.

Question put and passed.

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

Sitting suspended from 5.51 to 7.00 pm

GOVERNMENT FINANCIAL RESPONSIBILITY BILL 1998

Council's Amendments

Amendments made by the Council now considered.

Consideration in Detail

The amendments made by the Council were as follows -

No 1

Clause 4, page 2, lines 21 to 23 - To delete the lines and substitute "Standards Board;".

No 2

Clause 4, page 3, line 24 - To insert after the word "Assembly", the words "or the Legislative Council".

No 3

Clause 6, page 4, after line 22 - To insert the following new paragraph -

(d) spending and taxing policies are to be formulated and applied with consideration to the effect of these policies on employment and the economic prosperity of the State.

No 4

Clause 12, page 9, after line 7 - To insert the following subclause -

(7) If information that is otherwise required to be included in a Government Financial Projections Statement is excluded because of subsection (6), the statement must contain a general description of the excluded information.

No 5

Clause 13, page 9, line 23 - To delete "15 February" and substitute "31 December".

No 6

Clause 13, page 10, after line 30 - To insert the following subclause -

(5) If information that is otherwise required to be included in a Government Mid-year Financial Projections Statement is excluded because of subsection (4), the statement must contain a general description of the excluded information.

No 7

Clause 14, page 12, lines 10 and 11 - To delete the words "the Australian Accounting Standards" and substitute "external reporting standards".

No 8

Clause 15, page 12, line 22 - To delete the figure "14" and substitute "10".

No 9

Clause 15, page 14, after line 4 - To insert the following new subclause —

(6) If information that is otherwise required to be included in a Pre-election Financial Projections Statement is excluded because of subsection (5), the statement must contain a general description of the excluded information.

No 10

New clauses 16 and 17, page 14, line 27 to page 15, line 27 - To delete the clauses and substitute the following new clauses 16 and 17 -

16. Quarterly financial statements

The Treasurer is to release a statement for each quarter setting out the budget result from the beginning of the current financial year to the end of the quarter.

17. Budget papers to include outcomes etc.

Budget papers are to include -

(a) outcomes;

(b) resource cost; and

(c) the number of full time equivalent staff,

for each output for the budget year and each of the 2 preceding years.

Mr COURT: I move -

That amendments Nos 1 and 2 made by the Council be agreed to.

Mr RIPPER: Amendment No. 1 is a technical amendment designed to take account of changes that have occurred in accounting standard arrangements in the long period this Bill has been awaiting final consideration by the House. The Bill was first introduced on 30 April 1998, so it has been a long time progressing through the Houses.

Amendment No. 2 is a response to a proposition put by the Australian Democrats in the other place just in case any Government might be foolish enough to have a separate election for the upper House. I do not think that will ever happen, but it is not unreasonable to have this in the legislation.

Question put and passed; the Council's amendments agreed to.

Mr COURT: I move -

That amendment No. 3 made by the Council be agreed to.

Mr RIPPER: The Opposition is pleased to agree to this amendment because it represents about two-thirds of an amendment which it moved in this place when the legislation was first debated in 1998 and which was rejected at that stage by the Government. The Government has now accepted the first two parts of the amendment, which include consideration of the effects of spending and taxing policies on the State's employment and economic prosperity as one of the principles that should be incorporated into the Government's financial strategy. The Government has not accepted the rest of the amendment, which provides that consideration should be given to the effect of policies on household budgets with particular reference to families, the elderly and fixed and low-income groups. I can understand why the Government does not want that in this legislation given the history of government imposts on average households, which have been considerable despite the low inflation rate since this Government came to power.

I support the amendment, which is essentially the result of a compromise between the Government and the Opposition. I was not part of the opposition team negotiating it because of the time it has taken to deal with this legislation.

Question put and passed; the Council's amendment agreed to.

Mr COURT: I move -

That amendment No. 4 made by the Council be agreed to.

Mr RIPPER: This is the same as a number of other amendments that relate to the exclusion of commercially confidential

information from various reports or statements. I am a little surprised about that because not many commercially confidential matters involve amounts that would be large enough to have an impact on the aggregates in government financial projection statements. I would like some indication of the type of matters that the Government thinks will be excluded from these various statements as a result of claims of commercial confidentiality. The Labor Party will support this amendment because it represents an advance on the previous proposal, which was a straight exclusion of matters that were subject to commercial confidentiality. This amendment provides that the statement must contain a general description of the excluded information. From an accountability point of view, this is a step forward. The Treasurer should place on the record the type of information that is intended to be excluded from these statements.

Mr COURT: Information that is deemed to be commercial in confidence must be described. This would not have been required in the last budget because nothing in it fitted into this category.

Mr Ripper: Have you ever brought down a budget with anything in this category?

Mr COURT: I have been advised only about the last budget; I cannot go back beyond that. I cannot think of something that would be in the budget. As the member said, it is a step forward on what was proposed.

Question put and passed; the Council's amendment agreed to.

Mr COURT: I move -

That amendment No 5 made by the Council be agreed to.

Mr RIPPER: This is one of the opposition amendments first rejected in this place, which has now been accepted during the prolonged consideration of this Bill. I hope it will help to make the mid-year statements genuine mid-year statements, rather than two-thirds of the financial year statements, which would have been the case had the previous date of 15 February applied. It is interesting that the Government has gone to great pains to introduce its budget before the beginning of the financial year, but intended to release its mid-year financial statements six weeks after the end of the mid-year. The Labor Party said the statements should be released exactly at the mid-year point, and the Government has now accepted that proposition. It therefore supports the Treasurer's motion.

Mr COURT: I place on the record that I have difficulty understanding the logic of this change. The Government has agreed to release the mid-year financial projection statement no later than 31 December, but that means the information provided will be to the end of October.

Mr Ripper: Either that or Treasury will be burning the midnight oil on Christmas Eve.

Mr COURT: It cannot be done in one millisecond.

Mr Ripper: I understand the point you are making.

Mr COURT: The Opposition wants the information to be released before the six-month period is finished. I hope the member for Belmont understands that they will be the figures for September or October.

Mr Ripper: What is the minimum delay? How long does Treasury need?

Mr COURT: About two months. The figures for 31 October will be available by 31 December.

Mr Ripper: What is the source of that delay? Why does it take two months?

Mr COURT: A mid-year review is an update of the budget, and all agencies must give an accurate assessment of how they are travelling. It is a pretty big ask. It requires information to be collated from about 160 agencies. I hope members opposite appreciate that the mid-year review will cover the figures to 31 October.

Mr Ripper: I have read in *Hansard* the debate in another place.

Question put and passed; the Council's amendment agreed to.

Council's amendments Nos 6 and 7 agreed to.

Mr COURT: I move -

That amendment No 8 made by the Council be agreed to.

This is the snap election amendment!

Mr RIPPER: I was about to say that the mention of snap elections would send a bolt of adrenalin around members in the Chamber, but it appears from looking around the House that that would not be an accurate statement.

The SPEAKER: A goodbye speech on Thursday would cause them to think!

Mr RIPPER: Originally the Government Financial Responsibility Bill required the Government to produce its pre-election financial projection statement 14 days after the issue of the writs. Labor proposed in this place, when the Bill was originally debated in 1998, that the time limit be seven days. Both sides of politics now seem to feel that a 10-day limit would be acceptable. The wonders of political compromise; goodwill has broken out all around and we can all agree on the time

limit. No-one on the backbench seems interested in a snap election, so I suggest the Treasurer have more consultation with his colleagues before making any announcement.

Question put and passed; the Council's amendment agreed to.

Council's amendment No 9 agreed to.

Mr COURT: I move -

That amendment No 10 made by the Council be agreed to.

Mr RIPPER: This amendment, again, reflects the Opposition's position in 1998. At that time we suggested there should be monthly financial statements, and moved an amendment to the effect that the Treasurer is to release publicly a statement for each month setting out the budget result from the beginning of the current financial year to the end of the relevant month. At that stage the Government rejected the amendment. It has now come before us after consideration over those two years and in the other place, and the Government has moved an amendment in support of quarterly financial statements. Progress has been made, and the Opposition is pleased to support the motion.

The second part of the amendment, providing that budget papers are to include outcomes, again, reflects pretty accurately the amendment moved by the Opposition in 1998 which was rejected when the Bill was considered in this place. The Government has moved some way towards the Opposition's position with regard to both amendments.

The other aspect of this motion by the Treasurer is that it deletes a very unfair set of arrangements for the costing of pre-election commitments. That part has disappeared from the Bill. The public will judge both sides of politics on the costing arrangements which they make independently. I do not think this will reduce accountability; the public is pretty clear in its view. It expects any party aspiring to stay in government or be elected to government to be financially responsible and financially accountable. Even though this unfair and unbalanced provision for the costing of pre-election commitments has disappeared from the Bill, it will still be necessary in a political sense for both the Government and the Opposition to be convincing in their explanations of how much their policies will cost.

Mr Court: Who will do it?

Mr RIPPER: A range of people around the country are equipped to analyse Governments' and Oppositions' commitments.

Mr Court: Such as?

Mr RIPPER: Oppositions in other States have been able to use people in the private sector for the assessment of election commitments.

Mr Court: Instead of having Treasury do it, you will get Access Economics to cost your election commitments.

Mr RIPPER: I am not canvassing particular arrangements but, as the Treasurer well knows, Oppositions in other States have arranged for the private sector to cost election commitments. The Treasurer suggested in the Bill that a facility be available for Oppositions to use the Under Treasurer, but the Bill was organised such that everything would have gone through the Treasurer. That was not acceptable from our point of view. It was an unbalanced and unfair set of arrangements.

Mr Court: Would it be acceptable for Treasury to cost both sides, but not through the Treasurer?

Mr RIPPER: That was the position the Opposition put at the time; however, a different set of arrangements has been negotiated between the Government and the Opposition. We have negotiated the deletion of the clause we are debating and the substitution of the clauses the Premier has just moved. In the end, the public will make a judgment. There are people in the community who have the financial credibility and expertise to do the job. In the end the public will judge whether correct choices have been made by either the Government or the Opposition in seeking those services.

Mr COURT: I am interested in this because I spoke to the Opposition's counterparts in Victoria who were bragging that they were able to buy financial credibility by having a private firm do the costings for its campaign. I put it to the member that it can be gotten away with once or twice, and the member might say that is fair enough, but the trouble is that if the same body - and Treasury is a good body, whether one is in opposition or government - is not costing both political parties, there will be a public bunfight. For example, on what basis will the southern suburbs railway cost X number of dollars? The Opposition will have one set of assumptions, the Government of the day will have another, and there will be a bunfight about it. Either Treasury must do the costings, or, if an outside organisation does it, it must do it for both major parties in order for the exercise to have any credibility. I will be interested in the member's reaction to that. If that does not occur, campaigns will be run and the assumptions under which the costings are done will be questioned, and the public will not have a clue.

This legislation will make the Government of the day present information that we could only have dreamt of when we were in opposition. It is called the Government Financial Responsibility Bill 1999 and lays down a number of reporting requirements for government which is a major step forward. The Government is proud not only because it has introduced the Bill, but also because it is prepared to live within this type of legislation. I do not want it to slip through as if it were a small achievement. This is a major accountability provision which will be on the statute books and will bind future Governments - because we are living under it now - to report in this detailed way. The Government is proud to have introduced it. I will be interested in the member's comments about election costings.

Mr RIPPER: The Opposition is pleased to support the Government Financial Responsibility Bill 1999. It is prepared to commit itself to stringent financial management principles. It has put on the public record its commitment in that regard. However, this should be looked at in a national context. The financial reform program adopted by this Government is being adopted by Governments throughout the country. Governments and Treasurers meet nationally and agree on the process of accounting and financial reform. Let us not assume that Western Australia is an island, and that processes that happen here are completely divorced from the national context. There is a national move towards accrual accounting, uniform reporting and presenting budgets in a way which enables comparisons to be made over time and between jurisdictions. The Opposition supports the legislation, but the Premier should not pretend that he has done something unique in Western Australia; it is being done across the country.

If only the Premier were as keen about other forms of accountability as he is about accrual accounting and financial reporting. This afternoon I spoke at the Western Australian Chamber of Commerce and Industry about Labor's accountability policy. It is interesting to look at the recommendations of the royal commission into WA Inc and the Commission on Government which remain to be implemented by this Government. There is a huge accountability reform agenda which this Government has not taken on board.

My final point is that this legislation is not enforceable in a court of law. I expect that government agencies will abide by the law; however, in the end, the only sanction is a political or parliamentary sanction. In some ways, it is a statement of policy intent rather than a statement which can be enforced in a court; that is, a statement of rights and obligations.

Mr Court: Tell us about the election costings.

Mr RIPPER: The Premier seems to be fascinated by the concept of election costings.

Mr Court: I do not know why the Opposition wanted it taken out.

Mr RIPPER: The Opposition has learnt a lesson from the way in which the famous four-year financial plan was presented to the community. At the last election the Premier presented a set of forward estimates based on the assumption that the only money available for meeting election commitments was to be obtained through the imposition of productivity dividends which were supposed to be applied year after year. They were never applied in Education because the Minister for Education simply would not accept them. They have disappeared entirely this financial year. What was supposed to be the only source of funds for changes in policy turned out to be illusory. Changes in policy were made regardless of the productivity dividends. They were applied inconsistently and have now disappeared. It would be an interesting exercise to take those forward estimates in the famous four-year financial plan and apply them year-by-year to what the Government has actually done. What the Government has done is a long way from what was in the four-year financial plan. For example, in 1996 the Premier did not tell us that there would be four years of accrual deficits on the general government account. The debate on finances during the election campaign in 1996 would have been quite different if the Premier had said that the Government would have four years of deficits on an operating basis and on an accrual basis on the general government account. I notice that my time is expiring, so if the Premier would like to speak, I will then deal with the question in which he is interested.

Mr COURT: I will make the point that the member for Belmont is skirting the question. If each party buys its advice for the election campaign, what credibility will that have? I would have thought that Treasury would be even-handed because it must give apolitical advice and must work on the assumption it does not know who the next Government will be. I would have thought it had a vested interest in playing it straight down the line. I am interested because the member did not seem to want to answer the question.

Mr RIPPER: I was answering the question, but my time ran out. I am devastated, and I know that we both have important engagements, so I will not answer at too great a length. The Premier's much vaunted method of accountability, the four-year financial plan, turned out to be not so much a four-year financial plan as a complete misleading of the public when comparing the proposal with what was actually done. The Premier asked whether everyone's costings should be done by the same body. I do not think that is necessarily required. The public can make a judgment. It is not reasonable that precisely the same assumptions should be applied to the costings because there might be legitimate differences about assumptions. The public can make its own judgments about whether it is reasonable to adopt assumption A or assumption B. It would be putting a straitjacket on political debate to say the costings should be done based on the same assumptions.

I repeat the Opposition's commitment to financial responsibility and financial credibility. We will be judged on those commitments. We will use our own measures to ensure that the policies we put to the electorate are both credible and responsible. We do not need a process designed by the Premier to convince the public that we have met those requirements. It is wrong of him to pretend that only a process he designed is applicable to the costing of election commitments.

Mr BROWN: To have any confidence in this Bill we must have confidence in the budgeting process and the figures that are produced. In his second reading speech the Premier said -

> The Bill further requires the Government to establish a reporting framework to communicate its financial strategy, how the targets which comprise the strategy are expected to be achieved and unique to Western Australia's Bill, whether they have been achieved. The financial strategy of this Government is detailed in the 1998-99 budget papers.

For this Bill to have some credibility, we should then examine the budget papers to see whether the Bill sets out the facts. I will compare the budget papers for two financial years to see whether they are credible.

I refer to the 1999-2000 *Budget Statements* for the current financial year that were delivered last financial year. At page 209, reference is made to details of controlled grants, subsidies and transfer payments for the Department of Commerce and Trade. As members know, with Treasury, departments and agencies are required to assess their estimated actual expenditure for the financial year when the budget is brought down. In the 1999-2000 budget, an assessment was made of the estimated actual expenditure for the 1998-99 financial year. Under the "Centres of Excellence Support Scheme", the estimated actual expenditure was $4.7m; that is, when the budget papers were drawn up, the Department of Commerce and Trade, the minister and the Government said expenditure for this financial year would be $4.7m. We looked at the *Budget Statements* for the following financial year, which show the actual, rather than the estimated expenditure. For the 1998-99 financial year the actual figure is not $4.7m, as was shown in the estimated actuals for the earlier year, but $1.2m. The budget papers were out by $3.5m from a $4.7m budget. How could that be? Is it just slack accounting, or is it in fact a bit of hollow logging? Is it departments and agencies ramping up the figures in the estimated actual column, and carrying the money over to the following year to make the expenditure for that year look good because it is an election year. The amount spent that year was approximately 25 per cent of the estimated actuals for that year; yet the Government asks us to trust it with this Bill. These budget papers are not even right. The Premier says we should rely on these figures; they are a guide. I would not put any weight on these documents. The Premier says this is our financial strategy; it is contained within the budget papers. The budget papers are not worth two bob, because they show all the hollow logging done year after year for political purposes. Either the person who drew up these papers was a goose, who had no financial sense, or deliberate decisions were made to hollow log the money and shove it off for the following years. When the Premier says that this Bill is about financial responsibility, his first step is to bring down an honest budget.

Mr RIPPER: I will deal with the question the Premier raised about the Treasury's costing opposition and government policies. There is a difference between the positions of the Government and the Opposition. The Premier cannot pretend with his proposed Treasury costing model, which he has now abandoned, that there would be parity between the Government and the Opposition. The Government has access to the economic bureaucracy throughout its entire tenure in government. To its heart's content the Government can develop proposed policies with costing advice from government departments. It does not have to announce those policies. If the costings are wrong, it can refine them and provide alternative proposals and gradually work up its policies.

No Opposition has that support. If the Premier's original proposal had been accepted, the Opposition would have had to make a policy decision and submit it to Treasury for costing. It would have had one shot; if there had been a problem with the Opposition's proposed policy, there would not have been an opportunity to go back to the Treasury and say that in the light of the costing it has amended the policy which requires a new costing. The Opposition would have faced difficulties which would have been exacerbated by the fact that all the information had to go through the Premier and come back through him. The Opposition could not have an unannounced policy costed when the material was going through the offices of its political opponents.

The Opposition proposed amendments to this section with which the Government was not happy. The outcome of discussions was that the clause was dropped.

Mr Court: You are skirting the question.

Mr RIPPER: It is not right for the Premier to suggest that, but for the Opposition's opposing this clause, it would still be in the Bill; in fact, the Opposition was prepared to move amendments. However, the Government was not prepared to accept them. Thus the Government dropped the amendment.

The Premier keeps repeating the allegation that I am skirting the question. I am not sure precisely which question he thinks remains unanswered. Governments and Oppositions can choose how they cost their financial commitments. However, the public will judge severely anyone who does not have a credible and responsible approach to the funding and costing of election commitments. We have already announced our commitment to a set of stringent financial guidelines, and we intend to live by them.

Mr COURT: The Deputy Leader of the Opposition has said that the Opposition will cost its electoral promises under its assumptions. If the same body were costing for both parties, the arrangement could be credible in the eyes of the public. If the Opposition is to make up its assumptions for costings, we can look forward to some pretty creative costings during the next election campaign.

Mr Ripper: That is what we got from you; yours were creative. What about the productivity dividend?

Mr COURT: We set ourselves a target and framework. We have lived with them. There is absolute transparency in what takes place.

Mr RIPPER: No wonder the Premier does not want us to talk about outside financial advice. The Government has found some recent outside financial advice most unwelcome; that is, the Access Economics budget indicator No 46, which refers to the Government being in deficit on a cash underlying basis for this financial year and for the next five financial years. The Premier has made no proper response to that outside financial advice. He has made no statement to the House saying why he disagreed with the report. The report also stated that the Government's AAA credit rating might be at risk. I thought that would be a very significant issue, yet the Premier has made no proper response in this House to that serious

report from Access Economics. Tonight neither of us probably wants a long debate on that issue. However, the Premier should make a statement on the Access Economics budget indicator No 46 report, because the implications for this State's future and the arguments in that report are quite serious. If the Premier disagrees with them, he should explain to this House why he disagrees.

Question put and passed; the Council's amendment agreed to.

The Council acquainted accordingly.

ELECTORAL AMENDMENT BILL 2000

Declaration as Urgent

MR BARNETT (Cottesloe - Leader of the House) [7.43 pm]: In accordance with Standing Order No 168(2), I move -

That the Electoral Amendment Bill 2000 be considered an urgent Bill.

This Bill results from a number of recommendations made by the Electoral Commissioner to the minister responsible for the Act. The Bill is largely of an administrative nature and is necessary for a number of things that he will need to put in place prior to the next election. I understand that there has been quite widespread discussion on this Bill and, therefore, the Government wishes to progress this Bill during this last sitting week.

MR KOBELKE (Nollamara) [7.44 pm]: I realise that this is the last sitting week of the Assembly in this session, at the end of which the Parliament will be prorogued. Therefore, there may be some Bills to which the Government wishes to give priority. I am also aware that there must be an election within about six months of coming back for the opening of the Parliament. If this Bill were delayed to the next session, it may be that some administrative matters would take some time - the minister has not given that justification but I will leave it open to him to say that it may be a reason - so we will certainly accept that the Bill be treated as an urgent Bill, as required under the standing orders. I have asked the Leader of the House if we could have some forward notice of the Bills this would apply to. I do not know whether any other Bills that we will deal with this week will also need to be treated as urgent.

Mr Barnett: I do not believe so. The Bill was second read on 14 June, so we are effectively having to overcome the new standing order. In fairness, we have rarely done it.

Mr KOBELKE: I thank the minister for answering by way of interjection. We accept that the Bill be treated as urgent for the purpose of standing orders, but the point in the standing orders is to give a reasonable time for the Bills to be laid before the House after the introduction through the second reading so that there is time to consult. The Bill is not contentious, but I am concerned that we are making a standard practice, although special consideration will be given because it is the last week of the parliamentary session.

Question put and passed.

Second Reading

Debate resumed from 14 June.

MR KOBELKE (Nollamara) [7.46 pm]: This Bill contains a range of amendments to the Electoral Act 1907. The amendments are to modernise and improve the functioning of the Act and hence our electoral system. The amendments have the support of the Opposition.

I express appreciation to the minister and/or the Western Australian Electoral Commission for placing the amendments in a blue copy of the Act. The Act comprises nearly 300 pages, and the amendments go to a range of different parts of the Act. Given that there are a very large number of quite minor amendments in addition to the major ones, it is certainly of great assistance to anyone who wishes to follow what the amendments are doing to have the blue copy of the Act. I hope it will ensure that we will have a more meaningful debate and are able to tease out the exact implications of the changes being proposed by this amendment Bill.

The first matter I wish to take up is the proposed amendments relating to writs. The current requirement is that at a general election writs be issued for each of the 57 state electoral districts and for each of the six state electoral regions, therefore requiring in total the issue of 63 writs. The proposed amendments will reduce that to two writs, one for the seats in the Legislative Assembly and one for the seats in the Legislative Council. That is seen to minimise the necessity for writs established under the old system with the clerical work involved and brings us into line with the current practice in the Commonwealth, Victorian, South Australian and Northern Territory jurisdictions. Changes are also proposed to the role previously played by registrars, because with the modern method of maintaining roles centrally and with information technology, it is no longer necessary to maintain those old procedures. A very large number of minor amendments remove the "registrar" from the Act and insert the necessary replacement for a more modern system.

A major change in the legislation is the establishment of a central nomination process, so that political parties can register their candidates rather than all of the individual candidates having to nominate. The system still leaves it open for any individual candidate, whether or not a member of a registered political party, to lodge an individual nomination for the election. However, it is seen to make it easier to have a political party register candidates, particularly as under the old system there was always the problem of the party going backwards and forwards to candidates, double checking that the

nominations were in. Members can have the designation of the party on the ballot paper, which is another part of the process which can be picked up more easily through having nominations centrally. The changes also mean that we will not have the ludicrous situation that we have had in the past of going to nominate where the returning officer is for a particular Legislative Assembly district. The first time I nominated, it was on a bit of dirt in West Perth outside the office in which the returning officer worked. On another occasion, I went from my home in Nollamara to the home of the returning officer in a southern suburb to nominate. I think the third occasion was on a rainy afternoon in the car park of Mirrabooka Senior High School, which was the principal polling place, and we quickly completed the nomination before the rain came down. Western Australian Electoral Commission offices are not maintained for each district, as is the situation with the Commonwealth. I am not suggesting that there is a need to do that. However, because that infrastructure is not in place, it means that the part-time or fill-in returning officers who are required for a state general election do not have the facilities to run an office or to accept nominations in a way which would be expected today. Although it is still open for that form of nomination to take place, there will be a centralised system, which will be a great improvement and a more efficient method of ensuring that nominations are able to be lodged, and it will be possible to do the other things that are required regarding party affiliation and voting tickets for Legislative Council seats. It will also allow easy administration for political parties.

Proposed new section 81A includes the new definition of "party nomination", which means the nomination for an election of a candidate publicly recognised by a particular registered political party as being an endorsed candidate of that party. Proposed new section 81A(5) indicates how that is to take place. It states -

> If a party nomination has been made in accordance with subsection (2), the Electoral Commissioner is to -
>
> (a) give the secretary of the registered political party a notice acknowledging receipt by the Electoral Commissioner of the candidate's nomination and the deposit lodged on behalf of the candidate; and
>
> (b) send to the Returning Officer, as soon as practicable before the hour of nomination -
>
> (i) a facsimile of the nomination paper;
>
> (ii) advice that the required deposit for the purposes of section 81(1)(b) has been lodged with the Electoral Commissioner on behalf of the candidate; and
>
> (iii) details of any claim under section 80(1) made under subsection (4).

Two issues arise from that proposed section. First, the Electoral Commissioner is to advise the secretary of the registered political party of acknowledgment of the receipt of the candidate's nomination and deposit. That is an effective and efficient way of doing it. It means that party political candidates - that is most of us here - will have to make sure that there are good lines of communication between the individual candidates and the political party, which presumably will have lodged their nominations and which will have been advised by the Electoral Commissioner of the receipt of those nominations. Whereas previously individual candidates, who were usually members of political parties, nominated, and the political party chased them to check that they had nominated and required to see written proof from the returning officer of those nominations, the process has been reversed. It is likely that the political party will lodge the nominations for the individual candidates, and individual candidates who are members of political parties, in order to protect their interests, will have to chase up their political party to make sure that they sight a copy of the receipt for the lodgment of the nomination by the political party. It is basically the same system with a bit of a reversal of who has the onus to check that things have been done according to Hoyle.

The next set of amendments relates to early voting. The term "postal" voting is replaced with the new definition of "early" voting. This will allow for the processing of early ballot papers to commence three days before election day. That processing does not mean actual counting; it means ticking off to ensure that the person is entitled to vote, is enrolled to vote and meets the requirements for that vote to be lodged. All that can be done prior to the election day, so that the processing of the ballot papers and the tallying of those early votes can be done very quickly on the day of the election.

Two new classifications for early voting are to be found here. To put that in context, I will paraphrase part of section 90. Under the current system, under section 90(1) an early vote is available to an elector who -

> (a) being enrolled for a region or district, has reason to believe that throughout the hours of polling on polling day, he will be more than 8 kilometres by the nearest practicable route from any polling place open in the State for the purpose of an election . . .
>
> (b) will, by reason of emergency duty or requirements of employment, be precluded throughout the hours of polling on polling day from attending to vote . . .
>
> (c) will, throughout the hours of polling on polling day, be travelling under conditions that will preclude him from voting during those hours at any polling place . . .
>
> (d) is seriously ill or infirm and by reason of such illness or infirmity will be precluded from attending to vote during the hours of polling at any polling place open in the State or, being a woman that will by approaching maternity be so precluded;

Paragraph (e) states that the voter -

is, by reason of his membership of a religious order or his religious beliefs -

(i) precluded from attending at a polling place; or

(ii) precluded from voting throughout the hours of polling on polling day . . .

Paragraph (f) states that the elector -

is by reason of -

(i) serving a sentence of imprisonment for an offence; or

(ii) being otherwise in lawful custody or detention,

precluded from attending at a polling place, . . .

Two proposed new paragraphs will be inserted as a result of this amendment. Proposed new paragraph (da) states that the elector -

will be precluded from attending to vote during the hours of polling at any polling place open in the State because the elector will be caring for a person who is seriously ill or infirm or who is expected shortly to give birth;

I know that the Deputy Speaker would be well aware, from contact with the many elderly people in his electorate, that that is now a growing issue. The number of carers is large. In cases of married couples, one person may be a dementia sufferer, and the other person looks after him or her. That is a 24-hour-a-day job. This new provision means that a person in that situation can say that he is a carer for someone who is seriously ill or infirm. On that basis, he will qualify for an early vote. He might be in very good health, but he has a full commitment to care for a partner.

The next new basis for an early vote is contained in proposed new paragraph (db), which states that the elector -

is an elector whose residence is not shown on the roll because a request under section 51B has been granted;

A person who does not appear on the normal roll, because he has sought that anonymity for a good reason, will not have to front up to a polling place and have his name crossed off the roll. He can cast an early vote if he wishes. That is an extension of the ability to cast an early vote. It is an excellent move to ensure that people are able to vote. It needs to be a basic tenet of our electoral laws that we seek to encourage as many people as possible to cast their votes. Even though it is compulsory, there are problems that put obstacles in the way and prevent people from voting. These amendments will make it easier for people to lodge their votes, particularly those who have difficulty going to a polling place on the day of an election.

Part 6 of the Bill amends the provisions with regard to polling places to allow people who are absent from the district in which they are enrolled to cast a vote in a special polling booth rather than go through the existing formality of casting an absentee vote. Technology now makes it possible to have a central computer-based roll, and special polling places will be set up to expedite the casting of votes by people who are outside their districts.

Part 7 amends the provisions with regard to vacancies in the Legislative Council. This has been a thorny issue for some time, because our Constitution provides fixed terms for members of the Legislative Council who take their seat on 22 May for a period of four years, whereas the members of the Legislative Assembly take their seat following the general election for a period which is generally four years from the first sitting of the Assembly. The process is a little more complicated than that, but I do not need to go into it for the purposes of this debate. That resulted in the situation whereby, after the state election in December 1996, members of the Legislative Council could not take their seats until 22 May 1997, which was some five months later.

If a member of the Legislative Council dies or retires, or resigns in order to contest an Assembly seat, it is necessary to elect a person to fill that vacancy in the Council. However, there is some confusion about whether the vacancy that has been created should be based on the most recent election that has just been held, at which that person was not elected, or the previous election, at which that person had been elected. The amendments make it absolutely clear that it must be based on the election at which the person who created the vacancy was elected and not on the most recent election, which might have a very different outcome. One could argue about whether that is a fair and proper way to conduct our affairs, but that is not the issue. The issue is the need to clear up any ambiguity about how the law should apply.

That raises a range of issues about whether to have fixed terms for the two Houses, because we currently have fixed terms for members of the Legislative Council but we do not have fixed terms for members of the Legislative Assembly. The term of members of the Legislative Assembly has been fixed in a de facto way, because there would be a big political cost for a Government that held Assembly elections and Council elections in different years, and that has forced Governments to keep some alignment between the election dates for the Assembly and the Council. However, we still need to overcome the problem that members in the other place take their seats on 22 May, yet the election may have been held six months earlier. Many people would think it is quite unjust that members who have been elected and who might have had to resign from their former job if they were in public sector employment receive no income as a member of Parliament until the following 22 May; and similarly that members who may have lost an election can retain their seats for that length of time. There is not much of a problem if the period between the election and 22 May is only a short time, but it creates a difficulty if it is six months. This Bill does not address that difficulty, and it raises a range of constitutional issues which are much more difficult to resolve, but we will need to leave that problem for another time.

Part 4 provides that when a party has lodged a nomination on behalf of a candidate, the Electoral Commissioner is to send to the returning officer, as soon as practicable before the hour of nomination, a facsimile of the nomination paper. That is an acceptable method of dealing with this matter, and I do not have a problem with it, but I wonder whether we should not also make provision for email. The email system between the Electoral Commissioner and the returning officer may be a normal means of communication, because the returning officer may work in another government agency. Other means of electronic communication may prove to be just as effective and more efficient, and the minister may like to comment on why it has been decided that the communication should be in the form of a facsimile. Obviously the idea is that the notice of nomination be given expeditiously, and a facsimile is much quicker than waiting one or two days for a letter, but to state that it must be in the form of a facsimile is a bit of a restriction, given that this Government is doing a great deal in e-commerce in a range of areas and is spending a huge amount of money on information technology across government agencies. All the necessary safeguards may well be in place to enable email to be an appropriate way of sending the notice of nomination. However, the Minister may wish to point out that some problems will be created if it is left more open and there is good reason for restricting it to a facsimile.

The amendment to section 92 deals with electors who seek assistance. New paragraphs (a), (b) and (ba) of subsection (5) provide -

> (a) If an elector (**"the elector"**) cannot read or write or is so disabled as to be unable to vote without assistance, another elector appointed by the elector (being an elector who is not a candidate at the election) may, according to the directions of the elector, do for the elector any act required or authorised by subsection (2), (4) or (4a).
>
> (b) An elector appointed under paragraph (a) is to state in the declaration his full name and address and the fact that he has been appointed by the elector to mark the ballot paper for the elector.
>
> (ba) Without limiting paragraph (a), if the elector completes the declaration but is so disabled as to be unable to vote without assistance the authorised witness may, according to the directions of the elector, mark the ballot for the elector and do for the elector any other act required or authorised by subsection 2(d) or (e), (4) or (4a).

I will raise two matters in the hope that the minister will comment. I know we need to be exact with the language, but this Bill is too full of jargon. This very important legislation is regularly the subject of dispute, although it has not been in recent years. As such, the wording should be exact and clear for legal purposes. The language is difficult to understand given that it places a requirement on people when they vote. Obviously, the presiding officer in the polling place will explain the obligations involved in voting. The people seeking the help will not be expected to understand the legislation, particularly if they are illiterate or have problems reading and writing. I hoped that the legislation would be more simple but still be precise in expressing those requirements because they impinge directly on electors seeking help.

Does the legislation need to be this strict? I am not sure whether it is stricter than the existing arrangements. In the past the Commonwealth has made it much easier to provide assistance in polling places. It is accepted that the procedures should be tight to avoid people abusing the electoral process and influencing voting. However, we must be careful about a range of issues. The subclauses dealing with the requirement to fill out forms and sign declarations are tighter than the provisions in the commonwealth legislation, although that may have been amended recently.

My two concerns are, first, given that this legislation will apply directly to electors who need help - they must give undertakings and sign declarations - the wording could have been simpler. Second, has the Government considered simplifying the system without forgoing the necessary checks in those procedures?

Part 9 relates to the registration of political parties and provides that political parties can register prior to an election. That is a good move. The legislation currently requires a very brief registration procedure for a political party's name to be printed on the ballot papers next to the names of the candidates. This moves the process back a step to establish the registration of the political party. This is a more formal recognition within state legislation of the registration and recognition of political parties. It also provides a process that is fair and reasonable in that a party must have a member in the Parliament or at least 500 party members to be eligible to register. Provisions also cover deregistration if political parties do not fulfil certain requirements. That is an improvement on the current system and the Labor Party supports it. Political financing issues also need to be tightened up. Again, I will not take time to go into the details. I support the Bill. I hope to have the opportunity to debate the detail of some of those matters later.

MR McGINTY (Fremantle) [8.14 pm]: If this legislation represents the culmination of four years' work by the Minister for Parliamentary and Electoral Affairs it is truly disappointing. We have a minor cobbling together of things that do not matter very much. The significant issues in the electoral system continue to be neglected and remain unresolved, notwithstanding the commitment from the Premier and the Leader of the National Party that this matter would be addressed during the life of this Parliament. Members will recall that the Premier indicated in a press release dated 28 November 1995 that in his view it was time we had one vote, one value in the Legislative Assembly. He said he would not rush into electoral reform in the lead up to an election, but he further stated -

> However, the Coalition parties have publicly acknowledged that a readjustment of the current level of weighting between the metropolitan and non-metropolitan areas in the Legislative Assembly will occur as our electoral system evolves.

> In principle, agreement has been reached on a system which would divide the State's electoral enrolment by 57 and allow for a variation of plus or minus 20 per cent.

That was a clear commitment from the coalition parties that legislation would be introduced to implement a fairer electoral system in Western Australia. The legislation we are debating tonight does not do what the Premier said it would do; it is another of his broken promises.

The Premier also stated -

> The Coalition believes a move to four year redistributions would substantially eliminate this problem and demographic trend provisions would not be necessary.

That was a reference to the previous paragraph, which stated -

> Redistributions currently take place after every two State elections requiring a heavy reliance on the prediction of demographic trends.

Members are aware of the current imbalance in enrolments: The electorate of Eyre has 9 000-odd electors and the electorate of Wanneroo has 36 000-odd electors. We should be ashamed of an electoral system that allows such an anomaly. It is not matched anywhere else in Australia. Even the corrupt gerrymander of Joh Bjelke-Petersen's Queensland has been replaced by a one vote, one value system. Parliaments elsewhere in Australia - including most recently the Tasmanian upper House - have all been changed to embrace this important principle to which the Premier committed his Government in November 1995. I reiterate what he said -

> In principle, agreement has been reached on a system which would divide the State's electoral enrolment by 57 and allow for a variation of plus or minus 20 per cent.

Therefore, one should start on the basis that every electorate should have approximately the same number of electors in the Legislative Assembly. The Leader of the National Party and the Premier did not commit to an equivalent change in the Legislative Council - that was a matter of considerably more contention - but they did make a clear commitment to move to one vote, one value.

The matter was handed over to "Do-nothing Doug" and nothing has happened. We have seen no changes in the frequency of redistributions or the basic structure of the electoral system that allows some people to exercise a vote four times the value of the vote of other people in Western Australia.

The DEPUTY SPEAKER: I remind the member for Fremantle that he must not mention first names of members or ministers, but their electorate or portfolio.

Mr McGINTY: The matter was handed to the minister with a reputation for doing nothing. That same reputation has got the minister into much trouble over the finance brokers scandal. I am coming around to the view that the scandal was not caused so much by his overwhelming desire to look after his mates who were finance brokers, but by sheer laziness.

Ms MacTiernan: That is why the Premier gave him the job.

Mr McGINTY: He thought that if he did not do anything, he could not get into trouble. He was proved dramatically wrong. If the Government wants an important policy commitment to disappear into a black hole, it gives the responsibility for it to the member for Alfred Cove in his capacity as a minister. Nothing will be done about it. There is some speculation about whether the issue would disappear into a black hole or become a raging crisis embroiling the minister, the Premier and the Government. The portfolio responsible for the finance brokers was given to the member for Alfred Cove because he would not do anything. The issue of electoral change, including the commitment of the Premier and the Leader of the National Party, was given to the member for Alfred Cove so that nothing would happen. That is what is before us tonight. This is an area in which the Premier ought to take the minister to one side and say, "I gave a commitment. Again, it is my credibility that you are putting on the line." The Premier's words are under his own letterhead; it is his quote in the media release. I felt some comfort in the Premier's commitment to the important principle of one vote, one value. It was a significant step forward when the Leader of the National Party signed up to that important principle. The Opposition looked forward to the inclusion of that commitment in the electoral legislation. It is disappointing that the efforts of the minister in the three and a half years he has been the Minister for Parliamentary and Electoral Affairs and the efforts of his full-time Liberal Party adviser have resulted in such a feeble, motley collection of inconsequential amendments.

The Western Australian electoral system is a joke. I think other people must sneer at the Electoral Commissioner and his staff when they travel east for meetings. They must snigger behind their backs and point them out as the people responsible for managing the corrupt system in Western Australia. One wonders why any self-respecting person would want to take on responsibility for the disgraceful system that we have in Western Australia. However, the attack should be targeted at the minister.

Mr Shave: There was a football team of applicants for the job.

Mr McGINTY: Perhaps that says something about the people who apply for the job, if they want to undertake that role in his ministry.

Mr Shave: The number of applicants was overwhelming.

Mr McGINTY: Maybe people need to feed their families and, therefore, they would do anything. The Western Australian system is part of a national disgrace. It offends principle, yet the best the minister can come up with is this peculiar collection of amendments that does nothing to resolve the fundamental issues in our electoral system. What does the Bill do about the dramatic population growth in areas like Rockingham, Mandurah and Perth's northern suburbs? The Premier's commitment was for redistribution every four years. Redistribution would be carried out after every election to ensure those discrepancies did not exist. That was the Premier's promise in 1995. Of course, it has not come to pass. People wonder if they can trust the word of the Premier. This is yet another area in which he has broken his promise. By the time an election is held in six months, or thereabouts, the discrepancy in the electoral system will be such that there will be 9 000 electors in Eyre and 38 000 electors in Wanneroo. The elected members will represent those geographical areas for another four years. If current trends continue, the discrepancy in four years will be such that Wanneroo will have close to 50 000 electors and Eyre will have about 7 000 or 8 000 constituents.

Mr Shave: You know that is not true.

Mr McGINTY: I do not know that is not true. It is very true. How many people will the member for Wanneroo represent?

Mr Shave: After the election, there will be a redistribution of electorates. The member should not talk about there being 50 000 people in Wanneroo because he knows it is not true.

Mr McGINTY: The member for Wanneroo will be elected to represent a geographical area known as the electorate of Wanneroo. For the next four years, that person will represent all the people living in that geographical area. Who will that person represent in four years? He will represent about 50 000 electors, while in the country areas, someone will represent a country electorate which has fewer than 10 000 electors. I used Eyre as an example.

Mr Shave: Why do your country members ask for the existing boundaries to be maintained?

Mr McGINTY: Why did the Premier say the State Government was committed to the notion of one vote, one value in the Legislative Assembly? Why did the Leader of the National Party, who has the most to lose from this arrangement, commit to it? What the Liberal Party loses in the bush, it will gain in the city. The redistribution will not matter greatly to the Liberal Party. However, the National Party stand to lose the most. Its numbers will be significantly reduced in this Parliament. The number of National Party members of Parliament will be reduced from six to three or four under a system of one vote, one value, or something approximating it. If the system promised by the Premier were introduced, the member for Collie would not sit in this House as a National Party member; nor would the member for Roe. The National Party would also lose in a couple of other seats. It could not make up that ground in the city. Why did the Leader of the National Party make the commitment to one vote, one value? I have a lot of respect for the Leader of the National Party. He said that it was not in his party's interests.

Mr Shave: It is one-way traffic.

Mr McGINTY: I assure the minister it is not.

Mr Shave: He has never said anything nice about you in his life.

Mr McGINTY: I would much rather be in my position than the minister's. The Leader of the National Party knew the decision would be painful for his party. Nevertheless, he made it for two reasons: First, it was right in principle. Western Australia is dragging the chain on this issue, compared with the rest of the country. Second, he is the leader of one of the coalition partners and it was clear the Premier wanted to move in a particular direction. The Premier and the Deputy Premier worked out a proposal for the implementation of a system in which each electorate has roughly an equal number of voters. The Opposition would accept a little bit of variation - give or take 20 per cent. It is not a particular problem. The Premier and the Deputy Premier worked out that this proposal was the way forward. The Minister for Parliamentary and Electoral Affairs wants to argue with the principle. It is interesting that the minister for electoral matters wants to preside over a corrupt system. Although, maybe it is not a surprise; maybe he likes presiding over corrupt systems. We have seen it in other areas. Maybe the minister also wants to implement that in the area of electoral matters. His leader said that the Government would go down the principled path and the Leader of the National Party agreed. The issue is why it is not in this legislation. It is a broken promise. It is easy to break promises.

The Premier today said that King Edward Memorial Hospital is not under threat, although the health bureaucrats are busily beavering away on its demise. It is easy to give a promise that will be broken. The Leader of the National Party campaigned vigorously saying it would put the coalition on the line over the gold royalty question before the last election and then rolled over and had his tummy tickled by the Premier when the gold royalty was introduced after the election. There was a promise before the election in 1993 to reskill the Midland workshops and a few days later the gate was shut and all the workers were put out of their jobs. The National Party went down to the Robb Jetty abattoir and promised people that their jobs were secure for the future, and then shut it after the election.

The Premier promised a principled position on electoral matters and then negated that completely after the election by handing it to this minister to ensure that nothing would occur with it. We heard the Minister for Health last week and today jumping up and down saying that the Graylands Hospital is secure; of course it is not. It is no more secure than the promises about King Edward Memorial Hospital, the Midland workshops, the Robb Jetty abattoir, Stateships, the promise for electoral reform, and on it goes.

This legislation is very much a broken promise presided over by the Minister for Parliamentary and Electoral Affairs who appears, as with the finance brokers, paralysed into doing nothing, most probably working on the essentially lazy proposition that life is a bit more comfortable if he does nothing. This legislation reflects that attitude. Although the Opposition will not vote against this legislation, it is pretty much a waste of time. I do not know why we are wasting our time in this place on it when there are far more important and far more principled matters that need to be dealt with in this area.

MS MacTIERNAN (Armadale) [8.31 pm]: In the media over the past couple of weeks a number of international incidents have highlighted the importance of getting one's electoral system right to preserve a democracy. In particular, members should consider what has been occurring in Zimbabwe, where the Government has taken over the role of the electoral commission, and the way in which that has undermined the confidence, understandably, of people in the freeness and fairness of that poll. In Japan, the Prime Minister was actively encouraging people in the city, but not in the country, to stay in bed and not go out to vote. An analysis of the Japanese political system would reveal why that might make sense for that Prime Minister's own political interests. That, in turn, highlights how important getting the electoral system right is to the quality of our democracy. The member for Fremantle believes that the Electoral Commissioner might have difficulty in meeting with other electoral commissioners because of his embarrassment at the state of malapportionment in Western Australia.

Mr Thomas: The Deputy Speaker does not seem to be too embarrassed.

Ms MacTIERNAN: No, but the Electoral Commissioner might be. The Deputy Speaker might have his seat amalgamated with the much safer seat of Greenough and may positively benefit from a spot of electoral -

Mr Shave: He would be a very good member for Greenough.

Ms MacTIERNAN: He might be an excellent member for greater Geraldton and might be a beneficiary of electoral redistribution. However, perhaps the Electoral Commissioner would be more content if he were sent off to Japan. Japan has the same kind of malproportionment as we have in Western Australia, which has been a major factor in producing an almost unbroken chain of government by one party for 47 years. It is clearly a system designed to suit a conservative incumbent rather than to enhance the quality of democracy. The Japanese Government's strategy therefore is to get as many people in the country voting where it can engage in tribal pork-barrelling and to get as many people in the city to stay home and refrain from voting.

Mr Shave: Do your country members try to encourage people in the country to vote?

Ms MacTIERNAN: Absolutely, as we do in the city. One of the important features of our electoral system and one that we must hold on to absolutely, as it distinguishes our system from most electoral systems around the world, is the retention of compulsory voting. It is compulsory voting that makes our system far more democratic than any other system. In fact I cannot think of another system that has compulsory voting.

Mr McGowan: Belgium.

Ms MacTIERNAN: Belgium does?

Mr Johnson: What is democratic about compulsory voting?

Ms MacTIERNAN: It is called compulsory voting but it is compulsory attendance upon a polling booth, as opposed to compulsory voting. That compulsory attendance on a voting booth ensures that we have a very high participation rate.

Mr Carpenter: It ensures a responsibility in the citizens.

Ms MacTIERNAN: That is right. It recognises that there are privileges but also responsibilities in being a citizen. That is the theoretical framework by which we can justify it. However, the positive result is that we have a very high participation rate that is the envy of any other democracy.

Mr Johnson: They have no option if it is compulsory.

Ms MacTIERNAN: Yes. However, it ensures that political parties in fact pitch their policies where they perceive the mainstream of political opinion to be. That should be contrasted with what is happening in the United States, where political parties pitch their particular lines towards the extremes in the political spectrum as those extremes can be relied upon to vote, whereas the vast majority of people in the middle are perhaps less likely to vote under those circumstances. It has also led to the perversity of push polling, the main aim of which is to discourage people from voting by creating an atmosphere of such disengagement and disillusionment that people do not vote. Rather than political parties selling their candidate, they try to destroy the other candidate, not so that people will vote for their candidate but so that they will not vote at all. There is a huge gulf between the rich and the poor in the United States, in a country which is supposed to be the land of the free. Gore Vidal put it very eloquently when he said that every four years one political party - the property party - puts up two candidates, one badged Democratic and one badged Republican, and they vie for the vote. That is effectively what occurs in the United States. However, Australia has managed to maintain a greater degree of equity in the distribution of the country's public resources. To a large extent that is a result of compulsory voting. I urge all members to be powerful advocates for compulsory attendance upon a polling booth, as that is what has kept the quality of our democracy as strong as it is.

Mr Shave: I don't support it.

Ms MacTIERNAN: Can the minister explain why he does not support compulsory voting?

Mr Shave: I don't believe you should force people to vote.

Ms MacTIERNAN: Does the minister believe that people should be forced to pay taxes?

Mr Shave: Yes, people have that responsibility.

Ms MacTIERNAN: Therefore it is permissible to compel people to pay taxes but it is not permissible to compel them to attend a polling booth?

Mr Shave: They are two totally different issues.

Ms MacTIERNAN: Why are they totally different issues? Is money more important than having a say?

Mr Shave: It is if you want to have government schools and you want to pay for roads, water and so on.

Ms MacTIERNAN: Did the minister follow the debate about the consequences if we do not have compulsory attendance at polling booths? Is the minister satisfied with the situations in the United Kingdom and the United States where less than 50 per cent of the community participate in the election process? Does the minister think that produces a healthy result?

Mr Shave: Yes.

Ms MacTIERNAN: That is quite alarming. We are now getting to the real calibre of the Minister for Parliamentary and Electoral Affairs. He does not believe that it is important that people vote. He believes that it is okay for them to pay tax. Did he support conscription?

Mr Shave: Yes.

Ms MacTIERNAN: He thinks it is okay to compel people to go to war and to pay tax but it is not okay to ask them to participate in the election process.

Mr Shave: It is a totally different issue.

Ms MacTIERNAN: Of course it is; it is far more important.

Mr Shave: Conscription is about defending the country.

Ms MacTIERNAN: Compulsory attendance at a polling booth is about defending democracy and ensuring the quality of democracy.

Mr Pendal: He will perhaps move before the end of the debate an amendment that we introduce voluntary voting, because he is such a staunch supporter of it.

Ms MacTIERNAN: That would obviously be expecting a lot of the minister. The member for South Perth well knows that the minister has not shown a preparedness to be adventurous in any of his portfolio activities. As has been said by the member for Fremantle, indolence has perhaps been the hallmark of his administration of his portfolios. Fortunately, I do not think that we will have a situation in which this minister will be fighting for his supposed principles.

Mr Pendal: You obviously lack the faith in him that many other people have.

Ms MacTIERNAN: Obviously all those people who he says have been writing in, supporting him in doing such a fine job in regard to the finance brokers, are probably the people who have the faith in him to take up these issues.

I am very serious about this issue. If we did away with compulsory voting, we would lose a great part of the egalitarianism of Australia. The social divide that has been referred to in *The Australian* newspaper, and supported quite well over the past week, would become much greater. The degree of division within our society would also become much greater. Not a single positive thing would arise out of the abandonment of compulsory voting, other than a sort of nonsense that somehow it offends our civil liberties to be required to attend a polling booth but apparently it does not offend our civil liberties to be required to attend a war or to hand over large dollops of cash.

Another important aspect of our voting system, and one we must fight hard to maintain and which is under some sort of threat from the Government, is the preferential voting system. People often start losing confidence in it because it is not found in other places in the world. It is not used in the United Kingdom, and more particularly in Japan where the Government which has consistently got the support of less than 40 per cent of the community has nevertheless managed to hold on to government for in excess of 47 years. That is because the non-right votes are divided amongst a range of left parties, but there is no reason that it should not happen in another way. The party that can command the highest level of support, but not necessarily the broadest support, is returned to Government.

Preferential voting is a particular genius of the Australian voting system which allows for new political parties to be formed and have a run, and allows people with particular issues to at least have a say and an opportunity to participate without having to consider whether they will be destroying the chances of a party that might be more akin to their philosophical view. The irony of the first-past-the-post system is that a candidate's standing might jeopardise the success of that

candidate's political philosophy by dividing the vote that is represented on that side of politics. The Australian preferential system allows for much greater richness and a greater level of involvement. It actively encourages people to make fine distinctions between different candidates who present themselves for office. It allows people to make a statement, maybe about one political issue, without jeopardising the ultimate formation of government. Very often people will vote for one issue and give a number one preference to a particular candidate, who is not a major party candidate, knowing that the person could never win but nevertheless wanting to give some support and to be able to do so without ultimately losing their capacity to contribute to the much more important decision about who will ultimately form a Government. Those two features of the Australian political system are very important for us to hold onto. We should be aware of those people who come from elsewhere and who are trying to undermine this system - people who have perhaps not thought through the real consequences of the abandonment of those principles.

I can understand the disappointment that the member for Fremantle felt because this Bill has not dealt with any of the big issues, and that the promises made by the Premier in 1995 have gone the way of the promises to have a rail line to Clarkson and a rail link to Rockingham and Mandurah, etc. They are not likely to see the light of day. Notwithstanding that, it is important to get the detail right because it really enhances the quality of our electoral system and the quality of the results that we get out of it. I would perhaps be less willing to describe the matters that we have before us today as inconsequential. They are certainly not the big issues but they are important in maintaining and preserving the integrity of our system. I note that we have not gone down the route of making disclosure rules fairer. I would certainly be interested in a discourse with the Minister for Parliamentary and Electoral Affairs on what he might be considering doing to make the disclosure rules fairer. It is a nonsense that we have disclosure rules which can be so easily subverted by simply setting up organisations like the 500 club and the Free Enterprise Foundation into which money can be poured and the identity of the donors not discovered.

I will be interested to hear a contribution from the Minister for Parliamentary and Electoral Affairs on that important issue, and why he has not seen fit to address that issue in the legislation before us.

MR PENDAL (South Perth) [8.50 pm]: Like others, I speak in general support of the Bill before the Chamber which covers a raft of amendments. It is difficult to give that broad support in some respects because of the multiplicity of issues involved; however, I repeat that in the main I support the Bill. A reason for that support is that I had the opportunity to be briefed by the Electoral Commissioner, Dr Evans, some months ago. I appreciated that advice and input from a very professional officer who, at least in briefing independent members and others, acted impeccably, as one would expect from a person in that position. Having said that, I express some concern about some provisions of the Bill that will further entrench in the system the role of organised, and in this case registered, political parties. The reputable polls in Australia will bear out this remark: Many people across Australia are finding it increasingly difficult to be at one with the rigid doctrinaire party political systems. That is one reason for my concern. For example, a rise has occurred in recent years in the number of minor parties and, more particularly, Independents elected to federal and state Parliaments. We have seen Governments come and go as a result not of the vote of Independent members, but of the vote of the people who elected those Independent members.

It is worthwhile for all members of Parliament to reflect when entering the political prize fight and considering who wields what political power that the reality is - and long may it continue - that in the final analysis ordinary people wield political power in casting their votes. If their ultimate decision is to allow power to reside in the hands of one, two or 10 individuals who are generally called Independents, that is not a weakness of the system; it is one of its strengths. Therefore, I am less than supportive of the notion - although I am a realist and I can read the numbers - that we will, for example, become terribly censorious in this Bill by stating that "Independent" is a dirty word and, with some irony, that "royal" shall be a dirty word politically. In reality, this demonstrates a concern on the part of the people responsible for the legislation regarding the power of those individual words. If one is concerned about the prospect of a party being described as "Independent Liberal Party", for example, on the ballot paper, one is tilting at the power of the English language; that is, one is frightened to have a ballot paper placed in front of people reading, "Tom Smith, Labor"; "Mary Brown, Liberal"; and "Jack White, Independent Liberal" or "Independent Labor".

I will shortly read into the record some interesting correspondence which contradicts itself on that point. With legislation of this kind, we tend to treat people with a level of disdain that they do not deserve. We treat people as though they are fools and not capable of understanding what is going on in the wider political debate. That comes to the fore in respect of the Liberals for Forests matter, for example, and whether someone in reading the ballot paper would misunderstand that for which that political grouping stands or does not stand. My point is that on many occasions, certainly in my time in Parliament, we vastly underestimate the commonsense and comprehension of the ordinary voter. He or she has a far greater capacity to cut through the political nonsense we hear sometimes in this place expressed in legislation than many of us give credit for.

I also touch on the role of the Minister for Parliamentary and Electoral Affairs, and what is, and should properly be, the role of the Electoral Commissioner, or his or her deputy from time to time. I want to demonstrate again in the context of this debate that we may well have had a situation - I believe we have - in which the minister has acted improperly in conveying his views, when his views should not have been conveyed, to the Electoral Commissioner. As I understand it, the Electoral Commissioner under his Act has the power to make certain decisions in the political and electoral process. If Parliament at some stage since 1907 has given those powers to the Electoral Commissioner, it probably had good reason for doing so. If Parliament at some stage since 1907 separated the role of the Electoral Commissioner from the day-to-day party political system, it also probably had good reason for its action.

Some letters have come to me by way of freedom of information which will demonstrate, vividly I hope, my concern. I ask members to see those letters against the background of the WA Inc royal commission and the subsequent Commission on Government. One of the kernels of those two inquiries was the extent to which a minister should convey his views to a statutory officeholder, of whom we have an increasing number in Western Australia. For example, we have the Ombudsman, the Auditor General, and one or two other positions. It begs the question: Why is it in the last 10 to 25 years that we have had a growth in the number of those statutory officeholders, more particularly the growth in the number of statutory officers? The answer is that there has been an increasing scepticism and distrust on the part of ordinary Western Australians towards those in positions of authority. We distrust people in the political process to such an extent that we must broaden and tighten legislative requirements. For example, some time ago the Liberals for Forests came onto the scene and caused some considerable angst among the Liberal Party in Western Australia. That was because the Liberal Party was the only party in Western Australia that had a contrary view on the logging of old-growth forests. That brought to light a new political movement named Liberals for Forests whose view of the world was essentially that of the Liberal Party. It generally embraced Liberal philosophy and policy in all but one aspect - that is, the logging of old-growth forests. It had a disarmingly simple message to tell the public: We are Liberals in all respects except that we do not agree with the Liberal Party on the issue of old-growth forest harvesting.

Through the facility of the Freedom of Information Act I have come across some letters that were written by the present Minister for Parliamentary and Electoral Affairs. One of those letters to which I will refer is dated 6 July 1999. It is a letter which I do not believe the minister should ever have written. I say that because the Electoral Act as it currently stands requires that the Electoral Commissioner shall make decisions according to his own light. In all the time I have been in Parliament we have never had the situation in which an Electoral Commissioner has been in office and someone has said he does not have confidence in that person. We are lucky, especially against the background of what is happening in Zimbabwe today. If we have this confidence that the Electoral Commissioner will reach conclusions without fear or favour, why would we need the minister to intervene in order to ensure that the Electoral Commissioner came to the right conclusion? I repeat what I said at the outset: I have never seen anything in the conduct or demeanour of the present commissioner or any of his predecessors which would suggest anything other than the utmost probity. I am concerned about the effort on the part of the political process to influence him.

Mr McGinty: What, to lean on him?

Mr PENDAL: Yes, to lean on him, to coin a phrase from the debate of the past few weeks. In a letter to Ms Fiona Colbeck, who was the acting Electoral Commissioner, the minister stated -

> I am writing to express my concern at the prospect of a new political group seeking recognition under the title "Liberals for Forests".

The minister then points out the provisions of section 113C, which are subject to some amendment tonight. The minister tells the commissioner the provisions of his own Act! I would have thought that was like trying to tell BHP how to manufacture steel. The minister then says -

> It would appear that there is a real likelihood that many electors would think that by voting for candidates designated "Liberals for Forests" they would be voting for the Liberal Party in a real sense.

In other words, the minister underestimates not only the intelligence of the electorate, but also of the Electoral Commissioner to come to a conclusion. Not more than one sentence later the minister puts a contradictory view as if it were part of the original consistent view. The minister continues -

> In fact their votes will be directed against the Liberal Party. Media reports strongly suggest that it is the intention of the new grouping to recommend preferences to other parties, including the Australian Labor Party, ahead of the Liberal Party. "Liberals for Forests" would therefore be more closely affiliated with the Australian Labor Party than with the Liberal Party.

How can the minister say in his second breath that Liberals for Forests are more inclined towards the Labor Party when the first part of his paragraph says that the name Liberals for Forests suggests to the voters that they are in reality voting for the Liberal Party? Out the door goes any sense of logical dissection, because a contradiction is being argued in the same breath. The minister's agenda is not just the Liberals for Forests; it also happens to include people like the member for Churchlands and me. The minister goes on to say in his letter which, I repeat, is improper and should never have been sent and is tantamount - to use the words of the member for Fremantle - to an effort to lean on the commissioner -

Mr McGinty: They were the words of the minister, not me. I was paraphrasing them tonight.

Mr PENDAL: I agree with the member for Fremantle and if I misled members I am sorry.

The minister goes on to say -

> I am aware that the two independent members of the Legislative Assembly -

The minister does not realise there are four Independents. However, his numbers have always been a bit askew, and he is finding that increasingly. The minister states -

> I am aware that the two independent members of the Legislative Assembly who sometimes are referred to as "independent Liberals" are not able to use the designation "Independent Liberal" when standing for election . . .

We all know that means that someone like me - now and in the future - must be described as independent on the ballot paper. That is notwithstanding that in the weeks and months leading up to the election I am happy publicly to be called an independent Liberal, and I have advertised myself as such -

Mr Shave: But you are not. You have voted nearly 100 times with the Labor Party in the past 12 months.

Mr PENDAL: The minister says I am not an independent Liberal. If the minister could count again - in his capacity to count on which I just reflected - on any matter to do with the Minister for Fair Trading and electoral reform, my voting record is almost 50 per cent against him. Does that not beg a question? On all of the Government's legislation and the hundreds of amendments and divisions that we have I know what my voting record is, and I have no apology to make to anyone about it. In 89 to 90 per cent of those votes I have voted with the coalition Government. In the twisting and turning of the Minister for Parliamentary and Electoral Affairs, whose future in this place is in great jeopardy, none of that propaganda will alter the truth of the matter. The minister can use his figures later, because I have 12 minutes to go.

I will get back to the point I was trying to make. The minister ends that quite improper letter - that letter that was unnecessary because the Electoral Commissioner is capable of making independent decisions - by saying -

> This is of course a matter for decision by the Western Australian Electoral Commission, but I consider it appropriate to express my concern on this matter.

If it is a matter for the Western Australian Electoral Commission, why would the minister write a letter that is bound to be misconstrued when it is read by someone like me and most other reasonable people? I am not the only person who makes the point that what the minister is doing is improper. I will tell members what has been the situation in Western Australia in the past eight or 10 years arising out of both the Royal Commission into Commercial Activities of Government and Other Matters and the subsequent Commission on Government. On both occasions, those august bodies have drawn a line at what ministers should do in respect of those people who either hold what they call the statutory offices - like the Ombudsman and the Auditor General - or who hold offices that should be regarded and are recommended to be regarded as statutory office holders, including the Electoral Commissioner. That reference can be found in both of those documents.

I will quickly mention the principle that is at stake. In chapter 8 of the report of the Commission on Government, we are told in part -

> . . . the WA Royal Commission found that certain ministers had 'acted improperly in interfering with the business affairs' of government trading enterprises . . .

For our purposes, we will strike out "government trading enterprises" and place there "statutory office holders", because the principle remains the same. That report quotes the royal commission as saying -

> Where the minister either directs the board of an authority or company to act in a particular way or in a given matter, or communicates with the board in a way that could reasonably be interpreted by it as a direction, the minister must notify the parliament promptly of this in writing . . .

That is the transparency that was demanded out of the inquiries that were held by the royal commission at the time.

I will choose another quote that goes to the heart of the integrity of the position of Electoral Commissioner, because it is, in a parliamentary and political sense, a sacred office alongside that of Ombudsman and Auditor General. Why? Because each of those three people - there are more - are among the few statutory office holders who have in the balance of their hands the capacity to change the direction of people's lives. Can members imagine what it would be like if we had an Electoral Commissioner in Western Australia who was crooked; someone who was malleable and who was capable of doing those things which happen every day of the week in places like Zimbabwe? We would see the end of democracy. That was why the WA Inc royal commission and the Commission on Government placed such store in regarding those office holders as sacrosanct and beyond political pressure. That is why, when I tell my constituents that if an administrative matter has been decided against them and if it is unjust I will take it to the Ombudsman, most of them look at me and say, "What good is that; it is just another public servant." Then I go through the process of enlightening them that it is not just another public servant; we are talking about an officer of the Parliament - a statutory office holder who has the power to report directly to the Parliament and, therefore, to break that cycle of ministerial involvement and impropriety as and when it occurs. I am quoting from the report of the royal commission which says -

> Accordingly, the Commission recommends that:
>
> (a) The Auditor General . . . be designated independent parliamentary agencies in the legislation establishing their respective offices.

I have left out some words which go to the heart of what I am saying. It says that not only should the Auditor General be in that position but also the Ombudsman should be. The third office holder is the Electoral Commissioner. I will read it as a whole now -

> Accordingly, the Commission recommends that:
>
> (a) The Auditor General, the Ombudsman, the Electoral Commissioner and the proposed Commissioner for Public Sector Standards -

Whom we now have on the statute books -

- and the Commissioner for the Investigation of Corrupt and Improper Conduct -

I think we have him in the form of the Anti-Corruption Commission -

- be designated independent parliamentary agencies in the legislation establishing their respective offices.

One might ask the question: Where in this Bill has this minister embedded that principle which his party wedded itself to when it suited him? The reality is that it does not suit him and the Government of the day. I turn now to the Commission on Government which followed the royal commission and whose task it was to examine the royal commission recommendations and to see how they might be implemented. Chapter 4 says -

These officials -

We are talking about much the same people; that is, independent accountability officials -

> - play an important part in the accountability and integrity of our system of government. At present, none of these officials is mentioned in the State Constitution. Since they form an important part of our system of government their roles and functions should be set out in our Constitution. The officials could include:

Members will hear the familiar ring -

- the Auditor General . . .
- the Commissioner for Public Sector Standards . . .
- the Director of Public Prosecutions . . .
- the Electoral Commissioner and Deputy Electoral Commissioner, who are primarily responsible, under the *Electoral Act 1907,* for the proper maintenance of electoral rolls, for the proper conduct of elections and for promoting public awareness of electoral and parliamentary matters;

I will finish on this basis: I am simply saying that there has been just another attempt - perhaps it is so commonplace that none of us is shocked by it - on the part of this minister in the course of administering the Electoral Act to go beyond what is proper for that minister to do in conveying those sorts of thoughts to the Electoral Commissioner. I have no difficulty in a minister for electoral reform doing as this minister has undoubtedly done - gone to Cabinet and obtained cabinet and party room approval to update and standardise the Electoral Act with other similar statutes throughout Australia. I would expect him to do that. I would also expect him in the course of that to seek advice from the Electoral Commissioner and that correspondence would go back and forth. What I think is improper and what is an effort to lean on someone is a letter written 12 months before giving an opinion on a matter that has yet to be decided. The Electoral Commissioner, of his own volition, has sought the advice of the Crown Solicitor. That the Crown Solicitor, as an independent office holder, should give advice to the Electoral Commissioner that what he was thinking at the time was accurate was not my point. My point is that once again a minister, who has caused the Government so much disquiet and unpopularity, has gone on unreined and made a decision that he will convey what I regard to be an improper set of recommendations.

I have not touched on - that is the nature of parliamentary debate - all those other positive matters that are contained within the Bill and on many issues which one can feel indifferent about. It seems to me that the Government which won office on its holier-than-thou attitude in respect of the WA Inc days has used the occasion for major amendment and overhaul of the Electoral Act to do everything except that which the royal commission and the Commission on Government suggested that it should do. We are missing a golden opportunity to put an arm's length between the minister of the day and the Electoral Commissioner. None of that is mentioned in the Bill. The Government is missing a major opportunity, and it has missed those opportunities for the past few years, to put a major distance between the various ministers and those other statutory office holders to whom I have referred by way of comparison with the Electoral Commissioner. It is a matter of great regret, and the day will come when the Government will rue that it has not bitten the bullet on some of those essential, basic, fundamental principles that seemed to be so important to the then Liberal Opposition seven or eight years ago. That is a big reservation. Putting that aside, I will support the Bill because it at least modernises and standardises many practices. I am greatly concerned at the methods used by the minister on the occasion I have outlined.

MR McGOWAN (Rockingham) [9.21 pm]: I take this opportunity to put some remarks on the record in relation to Electoral Affairs. I note that earlier this evening the members for Fremantle and Armadale expressed similar concerns about the status and scope of electoral laws in this State. This Bill is significant more for what it omits than for what it includes. It does not create a fair and equitable electoral system in this State. It allows Western Australia to continue to be at odds with the rest of Australia.

Those States that had malapportioned electoral systems have addressed that situation, and put into practice a fundamental principle that the votes of all people are equal. It does not matter where people live or what their financial position, they should have an equal say in deciding who shall be the Government of the State. That fundamental principle has been put into practice in every other State. South Australia fixed that problem in 1969. It had a malapportioned system that was worse than that in Western Australia today; however, it recognised that it was wrong and addressed the problem 31 years ago. At that time a minority in the State had the capacity to elect the Government over the majority vote. The then Premier of South Australia, Steele Hall, who was a member of the Liberal and Country League, said it was wrong and it was fixed.

In Queensland the electoral system was not fixed until 1990. It took the Fitzgerald inquiry and the election of a Labor Party Premier to bring Queensland into line with other western democracies around the world. It recognised that people's votes should be equal, and that it was not right that votes were worth more in some places than in others.

Mr Ainsworth: Are you advocating an optional preferential voting system, as they have in some of those States?

Mr McGOWAN: No, I am not. I am merely saying that one vote, one value should be in place.

Mr Ainsworth: That is a relief at least if you are not advocating that style.

Mr McGOWAN: I am advocating the system in place in most of the western democracies throughout the world. In Queensland, when Wayne Goss was Premier he put in place a fair system that overcame all the electoral inequities acknowledged throughout Australia, which had made Queensland a laughing stock. Western Australia is the only State that has not fixed this problem. As the member for Fremantle pointed out, this Government committed itself to rectifying this situation in 1995 before the last election.

It is a great shame and a missed opportunity, because if the minister responsible for this area eventually managed to put the Bill through both Houses of Parliament, he would be remembered in years to come. It will happen at some point in time. The Labor Party is obviously committed to it, and I am sure that if the member for Cottesloe were committed to it, he would take that step. It must be recognised that a minister of the Crown responsible for this area will not be remembered. The Electoral Amendment Bill will soon disappear from view; it will be mentioned in tomorrow's edition of *The West Australian* but then people will forget it. However, if the minister had the courage to carry through Cabinet, and deliver to the Parliament and the people of Western Australia, a system in which people's votes are treated evenly and fairly, he might redeem himself somewhat, despite the activities in his other portfolios, and become a figure widely respected throughout Western Australia. He might be remembered for what he had achieved.

Alas, I have no confidence that the Minister for Parliamentary and Electoral Affairs will do that. In the three and a half years since the last election he has shown no inclination for doing that. It is a greatly missed opportunity. If he had a skerrick of vision, he would realise that he should take this action. What is more, it fits the Liberal Party philosophy. I studied that a little at one stage and the liberal philosophy, on which the Liberal Party is supposedly based, is essentially the philosophy of John Stuart Mill. Menzies and other Liberals said he was their guiding light on matters of freedom and the right of people to do as they wish. That was part of the philosophy espoused in *On Liberty*, in which Mill said people should have a fair electoral system and that all votes should be of equal value. It is a central part of Liberal Party philosophy and yet, through blatant opportunism, this system has continued in Western Australia, even though it is recognised throughout the world as a system that should not continue.

I draw to the attention of Parliament a few areas in the existing system in which the different quotas for seats, depending on their location, is verging on the ridiculous. The electorates of Rockingham, Peel and Roleystone are south of the city of Perth. The electorates of Mandurah and Dawesville are a 15 minute drive further south than my electorate and my home in Safety Bay. The Mandurah electorate has half the number of voters of the Rockingham electorate. I have racked my brain to find any disadvantage suffered by the people in the Mandurah electorate, as opposed to those living in the Rockingham electorate. They suffer no disadvantage which entitles their votes to have twice the value of the votes of people in my electorate. There is no justification for that. It is an urban electorate. It is almost as close to the city as is Rockingham, where I live. The member for Mandurah has 13 000 people in his electorate and I have 27 000. When I vote at the ballot box on election day I get one vote and the member for Mandurah gets two. That is the effect of the existing electoral system, and that is wrong. The Government says that people in the country deserve greater consideration. The member for Roleystone represents the Shire of Serpentine-Jarrahdale and all the farmlands around there and the member for Peel represents all the market gardens, farmlands and horse studs and so on through the Baldivis-Karnup area; yet, the member for Mandurah represents an urban cell. If the argument is that the member for Mandurah represents a country area, it does not make sense because the electorates of the members for Peel and Roleystone are far more country than Mandurah. It is completely illogical to say that the member for Mandurah represents a country area. The members for Peel and Roleystone represent more country areas than the members for Geraldton or Bunbury; yet, our electoral system means we draw a line on a map and people on one side of the line have a vote that is worth twice as much as the people on the other side of the line. There is no reason that the system should exist as people who live in my electorate have the same advantages and disadvantages as those who live in the member for Mandurah's electorate. I have heard the Deputy Premier justify this system on the basis that people in the country areas produce the wealth and the people producing the wealth deserve more votes.

Mr Bloffwitch: They do.

Mr McGOWAN: If the member for Geraldton accepts that logic, I will tell him who should have the most votes: It is the people who live along the Kwinana strip.

Mr Shave: What, at BHP?

Mr McGOWAN: No, and a great deal of people who live in the member for Cockburn's electorate.

Mr Shave: Are you going to give Co-operative Bulk Handling Ltd and BHP a corporate vote? They are the ones making the money.

Mr McGOWAN: This minister has failed dismally to do anything about this legislation. Before the last election, this

minister made a commitment. He then comes up with ridiculous lines like the one he just came up with to justify a system that is regarded as ridiculous throughout the country. If he did something about this legislation, he would cement a position for himself in the history of Western Australia. However, he cannot see that; I can see that on his face. If we accept the argument that people who are in wealth-producing areas deserve more votes, then the most intensive oil-producing area in this State is the Kwinana strip. It is the heaviest industrial part of Western Australia and the most intensive wealth-producing section of real estate in Western Australia. A great many people live and work in that region.

Mr Shave: Who owns the assets there? Who is producing the wealth? It is BHP and CBH.

Mr McGOWAN: This minister is a dead man walking. Members should look at him. He is a big slug who sits there. He is Sean Penn from the film *Dead Man Walking* because he is dead but he does not know it yet. He is a dead political figure; he is as dead as a doornail.

Mr Shave: Am I getting under your skin, son?

Mr McGOWAN: He reminds me of the little boy in *The Sixth Sense* movie who saw ghosts and said, "Look, they're ghosts but they don't know they're ghosts because they don't know they're dead." The minister is one of those ghosts because he does not know he is dead already. This minister has only a matter of time. His interjections are indicative of his intellectual level.

Mr Shave: I got right under your skin.

Mr McGOWAN: The minister did get under my skin and he must be very proud of that.

Mr Shave: Yes, I did. I got all your nastiness out. All your social bitterness came out.

Mr McGOWAN: That is an interjection of an ex-member of the Australian Labor Party. If one adopts the belief that wealth-producing areas deserve more votes, logically that principle must be applied fairly. One must then say that the areas that I and the members for Peel and Cockburn represent produce a lot of wealth, therefore why do we not get more votes? It is because it does not suit the political imperatives of the Government. That is the simple reason the Government does not adopt that sense of logic to the areas that we represent.

Mr Bloffwitch: It didn't suit your mob when you were in power for 10 years either, did it?

Mr Shave: Ask BHP to give you their corporate vote.

Mr McGOWAN: I shall ignore the minister. Dead men should not talk. I will speak to the member for Geraldton. The member for Geraldton would be well aware that attempts were made to put four Bills through the Parliament in those days and they all failed in the upper House.

The other argument that is constantly used is of distance from Perth to various areas. However, the distance to Mandurah, Moora or Northam does not justify someone who lives in those areas having two votes. It probably does not take the member who represents Northam much longer to get home than it takes me to where I live. The argument of distance is illogical. If weight must be given to distance, the vote of a person who lives in Esperance should be worth four times that of someone who lives in Mandurah. If one really takes distance as a relevant factor to its logical conclusion, the vote of someone who lives in Kununurra should be worth 20 times that of someone who lives in Mandurah. However, that argument is not applied logically in the way that we allocate votes. The arguments in support of the structure around our electoral system do not stand up logically, do not fit in with liberal philosophy and are arguments that over time will ensure that the Australian Labor Party will change our electoral system; it is only a matter of when. I am sure that when the Australian Labor Party is elected to government it will amend the electoral system. However, as this minister has no sense of vision or history, it will take a new conservative Premier to do that. I am sure the member for Cottesloe would agree with that argument. He has referred previously to the problems with our electoral system and I am sure he would regard it as something that should be fixed.

MR SHAVE (Alfred Cove - Minister for Parliamentary and Electoral Affairs) [9.37 pm]: I will refer briefly to the issue of the electoral system as members raised the matter; however, I will not dwell too long on it as the Bill does not refer to that matter. The Government is looking forward to the next election and to telling the people in Burrup, Kalgoorlie and Eyre what the Australian Labor Party wants to do to their electoral representation. I hope the Australian Labor Party also writes to the people in Alfred Cove and lets them know how badly disadvantaged their voting rights are by living in the city, as I would welcome the Labor Party's input.

Several members interjected.

The ACTING SPEAKER (Mr Masters): Order, members!

Mr SHAVE: I have not received one call in the past 11 years from my constituents regarding so-called electoral reform. However, I will dwell quickly on the Independents who profess to be Liberals. I took out some figures on one of the members for an 18-month period between mid-1997 and the end of 1998 about the way in which the so-called liberal voted. I counted 166 divisions. I did not include divisions on the abortion legislation or Bills in which members on both sides of the House had a free vote. Of 166 divisions, this particular member - one of the so-called Liberal Independents - voted with the coalition 98 times, the Australian Labor Party 39 times and was absent for 29 divisions.

Mr Pendal: That is a ratio of 2:1.

Mr SHAVE: It can be concluded that he is a 59 per cent Liberal or, if the divisions for which he was absent are not counted, a 71 per cent Liberal.

Mr Pendal: That is savage stuff.

Mr SHAVE: One must amuse oneself.

Ms MacTiernan: Is this what you do on your nine couches?

Dr Constable: No, he gets one of his public servants to do it.

Mr SHAVE: At least I do not have to check the record of the member for Armadale, because I know she is fair dinkum.

Mr McGinty: He has done nothing else.

Mr SHAVE: I thank the members for their comments on the legislation. As far as people writing to the Western Australia Electoral Commission -

Ms MacTiernan: But you are the minister.

Mr SHAVE: Every member of Parliament has the right to write to the commission.

Several members interjected.

The ACTING SPEAKER: At one stage, three members were interjecting on the minister. To be fair to the minister, members should restrict interjections to one at a time.

Ms MacTiernan: The minister does not understand what is wrong about writing under a ministerial letterhead.

Mr SHAVE: The amendments to the Electoral Act are the result of requests from the Electoral Commissioner. I am pleased that the Labor Party supports the Bill.

The Western Australia Electoral Commission will make a decision about the independent group that wants to call itself Liberals for Forests.

Ms MacTiernan: You admitted you selected the Electoral Commissioner.

Mr SHAVE: If I wish to express a view -

Ms MacTiernan: You are the Minister for Parliamentary and Electoral Affairs.

Mr SHAVE: As a minister, if I wish to express a view, I will express it. It is my right to express the Government's view on these matters. The Electoral Commissioner is appointed by the Government, but is elected by an independent panel. It is an outrageous slur to say that the Electoral Commissioner might be inclined to do something because he is directed to do so by a Government.

Several members interjected.

Mr SHAVE: That is what that member is saying. The member for South Perth has tried to cast aspersions on the Electoral Commissioner, just as that man sitting there - the member for Fremantle - tried to cast aspersions on Judge Gunning.

Dr Constable: What rubbish.

Mr SHAVE: It is all part of the same game. The member for Churchlands - the one sitting over there who does not do too much - does not like it either. They do not like it. If they do not win the event, they pick on the umpire.

Question put and passed.

Bill read a second time.

House adjourned at 9.44 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

HOMESWEST, FREMANTLE

2239. Mr McGINTY to the Minister for Housing:

(1) How many people were on the public housing waiting list in the Fremantle region at 1 December 1999?

(2) Of these people on the public housing waiting list for the Fremantle region, how many were –

(a) single;
(b) part of a couple;
(c) part of a couple with dependent children; and
(d) single parents with dependent children?

(3) How many Homeswest public housing dwellings in the Fremantle region were there at 1 December 1999?

(4) Of the total number of public housing dwellings in the Fremantle region at 1 December 1999, how many were –

(a) bedsitters;
(b) one bedroom;
(c) two bedroom;
(d) three bedroom; and
(e) four or more bedroom?

(5) How many new public housing dwellings in the Fremantle region were –

(a) built; and
(b) purchased,

by Homeswest in –

(i) 1995/96;
(ii) 1996/97;
(iii) 1997/98; and
(iv) 1998/99?

(6) How many new public housing dwellings in the Fremantle region have been, or will be -

(a) built; and
(b) purchased,

by Homeswest in 1999/2000?

(7) How many public housing dwellings in the Fremantle region were –

(a) demolished; and
(b) sold

by Homeswest in –

(i) 1995/96;
(ii) 1996/97;
(iii) 1997/98; and
(iv) 1998/99?

(8) How many public housing dwellings in the Fremantle region have been, or will be –

(a) demolished; and
(b) sold,

by Homeswest in 1999/2000?

(9) How many people were on the Homeswest priority waiting list in the Fremantle region for-

(a) less than four months;
(b) four to twelve months;
(c) one to two years; and
(d) two years or more,

at –

(i) 1 December 1999;
(ii) 30 June 1999;
(iii) 30 June 1998;
(iv) 30 June 1997; and
(v) 30 June 1996?

(10) What was the total number of people on the Homeswest priority waiting list for the Fremantle region at –

(a) 1 December 1999;
(b) 30 June 1999;
(c) 30 June 1998;
(d) 30 June 1997; and
(e) 30 June 1996?

(11) How many people were on the Homeswest standard waiting list (wait-turn) in the Fremantle region for –

(a) less than four months;
(b) four to twelve months;
(c) one to two years;
(d) two to three years; and
(e) three years or more,

at –

(i) 1 December 1999;
(ii) 30 June 1999;
(iii) 30 June 1998;
(iv) 30 June 1997; and
(v) 30 June 1996?

(12) What was the total number of people on the Homeswest standard waiting list (wait-turn) for the Fremantle region at –

(a) 1 December 1999;
(b) 30 June 1999;
(c) 30 June 1998;
(d) 30 June 1997; and
(e) 30 June 1996?

Dr HAMES replied:

(1) 2782.

(2) Key: S = Single applicants aged under 55 years
P = Pensioner aged 55 years and over
F3 = Family with 1-3 children
F4 = Family with 4+ children
(Homeswest does not differentiate between couples & singles with dependant children)
(a) S = 715
P = 535
F3 = 1437
F4 = 95

(3) 6880.

(4) The Ministry does not keep historical data as to the breakdown of properties. However, as at 30 April 2000 the breakdown is as follows:
(a) 112.
(b) 1390.
(c) 2141.
(d) 2770.
(e) 460.
Total 6873

(5) (i) (a) 86.
(b) 53.
(ii) (a) 97.
(b) 47.
(iii) (a) 215.
(b) 31.
(iv) (a) 168.
(b) 40.

(6) (a) 228.
(b) 77.

(7) (a) (i) 52.
(ii) 34.
(iii) 43.
(iv) 43.
(b) (i) 233.
(ii) 203.
(iii) 225.
(iv) 161.
Please note these figures include properties sold under the Kwinana and Coolbellup New Living projects.

(8) (a) 32 to date.

(b) 162 to date. Budgeted sales are not broken down into regions as the majority of sales occur through the Right to Buy and GoodStart Scheme. These sales are identified by purchase requests from the tenant in occupation.

(9) As at 30 April 2000
(a) 27.
(b) 11.
(c) 2.
(d) 0.
(i)-(v) The historical information requested by the member is not readily accessible and it would take considerable time and resources to obtain. I am not prepared to commit the resources required to obtain this information. However, I can advise the member that I have previously expressed concern at the length of time priority applicants are required to wait for an offer of accommodation. To this end in 1999/2000, Homeswest is providing an additional 200 units which are specifically targeted at priority applicants.

(10) (a)-(e) The historical information requested by the member is not readily accessible and it would take considerable time and resources to obtain. I am not prepared to commit the resources required to obtain this information. However, as at 30 April 2000 there were 40 applicants listed on the priority list.

(11) (i)-(v) The historical information requested by the member is not readily accessible and it would take considerable time and resources to obtain. I am not prepared to commit the resources required to obtain this information. However, as at 30 April 2000 the waiting list stood as follows:
(a) 526.
(b) 881.
(c) 755.
(d) 308.
(e) 261.

(12) (a) 2782.
(b) 2761.
(c) 2483.
(d) 2666.
(e) 2476.

RAILWAY STATION CAR PARKS, VEHICLES STOLEN

2313. Ms McHALE to the Minister representing the Minister for Transport:

How many vehicles have been recorded as stolen -

(a) during the 1999 calendar year; and
(b) from 1 January 2000 to 30 April 2000,

from the following railway station car parks -

(i) Warwick;
(ii) Edgewater;
(iii) Cannington; and
(iv) Kenwick?

Mr COWAN replied:

The Hon Minister for Transport has provided the following response:

Westrail has received reports of vehicles stolen at Warwick, Edgewater, Cannington and Kenwick during the period 1 January 1999 to 30 April 2000 totalling 33 vehicles. However, it is understood that the Police Service has also received reports of vehicles stolen during that period at those stations. Accordingly, I suggest that the member direct the question to the Minister for Police. It is most likely that the reports of vehicles stolen made to Westrail were also reported to the police and any information that may be provided by the Minister for Police would include the 33 vehicles reported to Westrail.

PERTH BICYCLE NETWORK PLAN

2373. Ms MacTIERNAN to the Minister representing the Minister for Transport

I refer to the Government's release in 1996 of the 3-stage $113 million Perth Bicycle Network Plan and ask:

(a) will the Minister provide details of the implementation of the $25 million first stage of the Plan;

(b) will the Minister confirm that the $88 million second and third stages of the Plan have been funded; and

(c) will the Minister advise when stage 1 will be completed; and

(d) will the Minister confirm that the implementation of stages 2 and 3 will immediately follow the completion of stage 1?

Mr COWAN replied:

The Hon Minister for Transport has provided the following response:

(a) Stage I of the Perth Bicycle Network (PBN) is a four year, $25.5 million program to deliver 749.2 kilometres of both on road (x kilometres 86 per cent) and off road (14 per cent) bicycle facilities across Metropolitan Perth. Stage 1 involves over 125 individual projects. Stage 1 of the program is at the 60 per cent timeline and 70 per cent of the Network is completed. 64 kilometres of off road and 458 kilometres of on road facilities have been delivered. An additional 22.2 kilometres of off road facilities is planned to be completed by December 2000. This will bring the off-road component of the program to over 80 per cent complete.

(b) Funding for Stages II and III are planned to follow the completion of Stage 1, that is 2001/2002 – 2008/2009.

(c) Stage 1 of the PBN will be completed in 2000/2001.

(d) As per item (b) above.

HENRY WALKER ELTIN PTY LTD, MITCHELL FREEWAY CONTRACT

2388. Ms MacTIERNAN to the Minister representing the Minister for Transport:

(1) What was the original cost of the contract warded to Henry Walker Eltin Pty Ltd for widening and extension of the Mitchell Freeway?

(2) What is the current estimated cost of completion, or if completed, the actual final cost of the contract?

Mr COWAN replied:

The Hon Minister for Transport has provided the following response:

(1) Contract 44/98 consisted of two projects: The extension of Mitchell Freeway to Hodges Drive. The widening of Mitchell Freeway from Karrinyup Road to Hepburn Avenue. The contract was awarded to Henry Walker Eltin Pty Ltd for $15 828 991.03.

(2) The estimated cost of completion is $16.3 million. The difference of approximately $471 000 between the contract award price and the estimated cost of completion of the contract is due to several variations for additional work on retaining walls for the Principal Shared Path, shifting of the boundary fence, additional excavation for the railway tunnel, and associated delays.

WESTRAIL, DERAILMENTS

2422. Ms MacTIERNAN to the Minister representing the Minister for Transport:

(1) Since 1 January 1997 how many derailments of Westrail rolling stock have occurred?

(2) In respect of each incident-

(a) when did it occur;
(b) where did it occur; and
(c) what was the cause of the derailment?

Mr COWAN replied:

The Hon Minister for Transport has provided the following response:

(1) Since 1 January 1997 there have been 88 mainline derailments of Westrail rollingstock.

(2) (a)-(c) The information requested for mainline derailments only, is provided in the following table. Information for yard derailments has not been provided as data back to 1 January 1997 is not readily available for these minor irregularities. Provision of the information would require considerable research which would divert staff away from their normal duties and I am not prepared to allocate the State's resources to provide the information.

Mainline Derailments – Occurrences on the Westrail Network

From 1 January 1997 to 12 May 2000

Date	Location of Occurrence	Cause Description
2 January 1997	Millendon Jn-Narngulu	Infrastructure irregularity/heat buckling
7 January 1997	Geraldton-Mullewa	Safeworking irregularity/staff error
8 January 1997	Millendon Jn-Narngulu	Infrastructure irregularity/heat buckling
10 January 1997	Avon Yard-Albany	Infrastructure irregularity/heat buckling
10 January 1997	Midland-Kwinana	Safeworking irregularity/staff error-engine crew
12 January 1997	Wyalkatchem-Mukinbudin	Safeworking irregularity/staff error-speeding

29 January 1997	Burakin-Bonnie Rock	Infrastructure irregularity/ gauge irregularities
2 February 1997	Avon Yard- Albany	Safeworking irregularity/crew fault
2 February 1997	Avon Yard- Albany	Infrastructure irregularity/ heat buckling
4 February 1997	Toodyay West-Miling	Infrastructure irregularity/ rail and fastenings
14 February 1997	Kalgoorlie-Leonora	Infrastructure irregularity/heat buckling
10 July 1997	Moora Loop	Safeworking irregularity/fail to stop short of slip points
24 July 1997	Dongara-Eneabba	Rollingstock irregularity/axles
12 September 1997	Kalgoorlie - Leonora	Infrastructure irregularity/other
30 September 1997	Toodyay West Miling	Safeworking irregularity/ staff error-engine crew
3 October 1997	Avon Yard-Mullewa	Rollingstock irregularity/brake spreader on the trailing bogie failing
23 October 1997	Kalgoorlie	Infrastructure irregularity/ track under repair
6 November 1997	Wyalkatchem-Mukinbudin	Infrastructure irregularity/track components
25 November 1997	Millendon Jn-Narngulu	Infrastructure irregularity/other
29 November 1997	Avon Yard-Mullewa	Infrastructure irregularity/ track components displaced
30 November 1997	Menzies Station	Rollingstock irregularity/collapsed bogie
7 December 1997	Midland-Kwinana	Safeworking irregularity/ staff error-engine crew
19 January 1998	Millendon Jn-Narngulu	Infrastructure irregularity/heat buckling
22 January 1998	Claisebrook-Bunbury	Rollingstock irregularity/defective axles-overheated
27 January 1998	Wyalkatchem-Mukinbudin	Infrastructure irregularity/heat buckling
30 January 1998	Kalgoorlie-Leonora	Rollingstock irregularity/wheels on the bogie riding up over the points blade
16 February 1998	Burakin-Bonnie Rock	Infrastructure irregularity/heat buckling
20 February 1998	Burakin-Bonnie Rock	Infrastructure irregularity/heat buckling
20 March 1998	Brunswick Jn-Narrogin	Safeworking irregularity/staff error-track staff
29 March 1998	Kalgoorlie	Signalling irregularity/signal, interlocking equipment obstruction
14 April 1998	Collie	Infrastructure irregularity/ top irregularities
30 April 1998	Seabrook	Safeworking irregularity/ staff error
5 May 1998	Kalgoorlie	Rollingstock irregularity/defective axles-overhead
11 June 1998	York-Bruce Rock	Infrastructure irregularity/ gauge irregularities
15 June 1998	Mundijong-Jarrahdale	Dynamic interaction
17 June 1998	Wyalkatchem-Mukinbudin	Infrastructure/rail and fastenings
24 June 1998	Avon Yard	Infrastructure irregularity/wide gauge
11 July 1998	Bonievale-Stewart	Suspect infrastructure irregularity
23 July 1998	Brunswick East	Infrastructure/minor track irregularity
31 July 1998	Konnongorring	Safeworking Irregularity/ Points Run Through
20 August 1998	Beela-Brunswick East Section	Suspect Adverse train dynamics due to dynamic braking
14 September 1998	Avon Yard	Infrastructure irregularity/broken rail
15 September 1998	Doodlakine	Safeworking irregularity/ points incorrectly set
11 October 1998	Parkeston	Infrastructure irregularity/ faulty points blade
28 October 1998	Bowgada	Safeworking irregularity/ballast left on track after ballast drop
3 November 1998	Toodyay West-Miling	Rollingstock irregularity/collapsed bogie
8 November 1998	Avon Yard	Infrastructure irregularity/wide gauge
10 November 1998	Carnamah	Infrastructure irregularity/heat buckle
11 November 1998	Mount Barker-Narrikup	Rollingstock irregularity/seized bearing on bogie wheel of wagon XWB21334
11 November 1998	Toodyay West	Suspect rollingstock irregularity-severely worn flange
12 November 1998	Shark Lake Road/ West Merredin	Suspect infrastructure irregularity/heat buckle
14 November 1998	Avon Yard	Safeworking irregularity/ points run through
19 November 1998	Avon Yard	Safeworking irregularity/ human error/points run through
30 November 1998	West Merredin	Safeworking irregularity/ points incorrectly set
5 December 1998	Hampton	Suspect safeworking irregularity/ human error/points run through
7 December 1998	Daglish	Safeworking irregularity/human failure
8 December 1998	Muntagin	Rollingstock irregularity
11 December 1998	Quairading-Mawson Section	Suspect infrastructure irregularity/spread track
16 December 1998	Mundijong-Jarrahdale Section	Rollingstock irregularity/ product build up inside the wagon wheel

30 December 1998	Wickepin	Vandalism/points tampered with by unknown person
31 January 1999	Avon Yard	Infrastructure irregularity/ collapsed sleepers
10 February 1999	Leonora	Safeworking irregularity/human error
28 February 1999	West Merredin	Infrastructure irregularity/ infrastructure/spread track
17 April 1999	Toodyay West	Safeworking irregularity/crew error
4 May 1999	Wagin	Suspect train handling error/human error
8 June 1999	Picton	Suspect infrastructure irregularity/spread track
11 June 1999	Bindi Bindi-Miling	Suspect infrastructure irregularity
20 June 1999	Bindi Bindi-Miling	Infrastructure irregularity/broken rail
22 June 1999	Norseman	Infrastructure irregularity/ damaged sleepers
23 June 1999	Bindi-Bindi-Piawaning Section	Infrastructure irregularity/broken rail
24 June 1999	Mogumber-Moora	Collision with fallen tree on railway line
28 June 1999	Coondle-Toodyay West	Suspect train marshalling irregularity/human error
16 July 1999	Kirup-Greenbushes	Collision with fallen tree across mainline
27 August 1999	York-Beverley Section	Other Party at fault/train collided with a fuel tanker at 62.806 kilometres in the York to Beverley section. Fuel tanker ran into the side of train
1 October 1999	Warawarrup North End	Rollingstock irregularity/bearing failure
8 November 1999	Kununoppin-Nungarin Section-132	Infrastructure irregularity/gauge irregularity weak sleepers
11 November 1999	Koolyanobbing	Infrastructure irregularity/rail rollover
10 December 1999	Toodyay West-Miling	Suspect safeworking irregularity/ crew error
12 December 1999	Coondle-Bolgart	Suspect safeworking irregularity/ crew error
14 December 1999	West Merredin	Suspect rollingstock irregularity/bearing failure
14 January 2000	Merredin	Washaway due to floodings
14 January 2000	Menzies-Kookynie	Washaway due to floodings
18 January 2000	Benger-Warawarrup Section	Rollingstock irregularity/ control valve slide fault
20 January 2000	Esperance	Infrastructure irregularity/the line spread under the passage of the locomotive
31 January 2000	Salmon Gums	Suspect infrastructure irregularity/heat buckle
7 February 2000	Kellerberrin	Rollingstock irregularity/broken wheel
21 March 2000	Jennacubbine Siding	Suspect safeworking irregularity/ human error
27 March 2000	Jumperkne-Millendon Junction	Rollingstock irregularity/twisted axle

WEST COAST HIGHWAY, TRAFFIC VOLUME

2428. Dr CONSTABLE to the Minister representing the Minister for Transport:

(1) What is the current daily traffic volume on West Coast Highway?

(2) What percentage of this traffic is trucks?

(3) Of the vehicles referred to in the answer to (2) above, how many travel each week from –

(a) northern suburbs to Fremantle; and
(b) m Fremantle to the northern suburbs?

(4) What are the projections for increases in –

(a) general traffic volume; and
(b) the volume of trucks,

on West Coast Highway over the next 10 years?

Mr COWAN replied:

The Hon Minister for Transport has provided the following response:

(1) The Annual Average Weekday Traffic (AAWT) on West Coast Highway for 1998/99 ranged from 35 730 vehicles per day at a location south of Pearl Parade to 23 510 vehicles per day at a location south of North Street.

(2) Approximately 1.6% of the traffic on West Coast Highway consists of articulated vehicles. A further three per cent consists of two, three and four axle rigid trucks and buses.

(3) This data is unavailable – no 'origin and destination' surveys have been undertaken.

(4) (a) Based on current planning the predicted traffic growth over the next 10 years ranges between 15% north of Pearl Parade, 10% north of Hale Road and 30% south of Rochdale Road.

(b) Growth in heavy vehicle numbers would be expected to follow similar trends.

ROAD WORKS NEAR WETLANDS, CONSULTATION WITH WATER AND RIVERS COMMISSION

2429. Dr CONSTABLE to the Minister representing the Minister for Transport:

What are the legislative requirements for Main Roads WA to consult with the Water and Rivers Commission on road works constructed near sensitive wetlands?

Mr COWAN replied:

The Hon Minister for Transport has provided the following response:

There is a legislative requirement under the Environmental Protection Act (1986) for Main Roads Western Australia (MRWA) to seek approval from the Environmental Protection Authority (EPA) for any road construction project that appears likely to have a significant effect on the environment. This would normally include roadworks near sensitive wetlands. MRWA is not required to seek the approval of the Water and Rivers Commission (WRC), as the WRC is not the decision-making authority. It is the role of the EPA to refer such proposals to relevant parties such as the WRC for their advice and recommendations. The EPA considers such advice when assessing proposals and setting environmental conditions for the project's implementation.

DRIVERS' LICENCE ASSESSING CENTRES, WARWICK, FREMANTLE AND MIDLAND

2435. Ms MacTIERNAN to the Minister representing the Minister for Transport:

(1) Will the Minister provide the pass/fail rates at the following Department of Transport Motor Driver Licence assessing centres for each month since January 1999 -

(a) Warwick;
(b) Fremantle; and
(c) Midland?

(2) How many complaints were received from driver training schools in respect of the number of students failing driving tests at each of the following centres in each month since January 1999-

(a) Warwick;
(b) Fremantle; and
(c) Midland?

(3) What action was taken by the Department of Transport as a result of these complaints?

Mr COWAN replied:

The Hon Minister for Transport has provided the following response:

(1) The monthly percentage pass/fail rate for driving tests conducted at Transport's Warwick, Willagee (formerly Fremantle) and Midland Licensing Centres since January 1999 are set out hereunder:

	Warwick		Willagee (Formerly Fremantle)		Midland	
	Pass	Fail	Pass	Fail	Pass	Fail
January 1999	63%	37%	56%	44%	50%	50%
February 1999	60%	40%	60%	40%	60%	40%
March 1999	63%	37%	57%	43%	58%	42%
April 1999	54%	46%	43%	57%	45%	55%
May 1999	58%	42%	50%	50%	49%	51%
June 1999	56%	44%	53%	47%	49%	51%
July 1999	57%	43%	57%	43%	53%	47%
August 1999	59%	41%	53%	47%	57%	43%
September 1999	56%	44%	52%	48%	61%	39%
October 1999	51%	49%	53%	47%	50%	50%
November 1999	60%	40%	57%	43%	53%	47%
December 1999	60%	40%	51%	49%	48%	52%
January 2000	57%	43%	59%	41%	52%	48%
February 2000	54%	46%	68%	32%	46%	54%
March 2000	53%	47%	61%	39%	46%	54%
April 2000	63%	37%	54%	46%	47%	53%

(2) Transport does not have a record of formal complaints from driver training schools specifically relating to the driving test fail rates at Warwick, Willagee (formerly Fremantle) and Midland. Advice from the respective Transport licensing centre managers is that a small number of complaints are received in relation to the outcome of a specific driving test.

(3) Where a formal complaint is received by Transport, an investigation is undertaken and the findings are conveyed to the complainant. In most cases, verbal complaints are dealt with by licensing centre managers, in conjunction with senior driver assessment officers.

TOURISM EXPENDITURE, DECREASE

2487. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

(1) Is the Minister aware of an article that appeared in *The West Australian* newspaper on 12 May 2000 which reported tourism expenditure in the 2000 – 2001 State budget decreased by 8.4%?

(2) Is this correct?

(3) If not, why not?

(4) What specific programs have been cut to enable the reduced spending?

Mr BRADSHAW replied:

(1) Yes.

(2) No.

(3) The 2000/01 Budget of the Western Australian Tourism Commission (WATC) includes $2.075m, which is paid to the Rottnest Island Authority. The 1999/2000 Budget allocation included a carryover of $4.0m from 1998/99. Excluding these amounts, the total allocation to the WATC for both recurrent and capital expenditure has been increased by $1.29m (4%). Recurrent funding to WATC has increased by $2.02m (7.1%) which provides for the implementation of the first year of initiatives resulting from the 5 year Tourism Industry Plan, Partnership 21. Capital funding has been reduced by $0.730m solely as a result of decreased expenditure requirements relating to the awarding of the contract for the Perth Convention and Exhibition Centre.

(4) No programs have therefore been cut. The significant increase in outlays reflects the Government's commitment to Tourism which as a result of Partnership 21 is, over the next 5 years, expected to generate over $5 billion in visitor expenditure and over 8,500 new jobs for Western Australians.

MOORE RIVER OUTLINE DEVELOPMENT PLAN

2492. Dr EDWARDS to the Minister for Water Resources:

(1) What work has been undertaken by the Water and Rivers Commission with respect to the development outlined in the Moore River Outline Development Plan?

(2) Will the Minister table a copy of any advice provided on the Outline Development Plan?

(3) If not, why not?

Dr HAMES replied:

(1) The Water and Rivers Commission provided advice to the Shire of Gingin, the Ministry for Planning and the Department of Environmental Protection on the draft Outline Development Plan in 1997. The advice was in regards to waterways management, including the form of a foreshore reserve, hydrology, drainage management and water supply.

(2) Yes. [See paper No 1011.]

(3) Not applicable.

PERTH COLLEGE SITE, VALUATIONS

2509. Ms WARNOCK to the Minister for Planning:

(1) Will the Minister table the valuations undertaken for the East Perth Redevelopment Authority (EPRA) of the former Perth Girls School site in East Perth by the following consultants, as detailed in answer to question on notice 2243 -

(a) Chesterton International;
(b) Stanton Hillier Parker;
(c) Stanton Hillier Parker;
(d) Chesterton International;
(e) Chesterton International;
(f) Stanton Hillier Parker;
(g) Chesterton International; and
(h) Chesterton International?

(2) If not, why not?

Mr KIERATH replied:

(1) No.

(2) The Western Australia Police Service will soon place the property on the market for sale. This information is therefore commercially sensitive.

SMALL BUSINESS, GOODS AND SERVICES TAX

2517. Mr BROWN to the Minister for Small Business:

(1) Is the Minister aware of an article that appeared on Telstra Big Pond News on Tuesday, 16 May 2000 accusing several large retail companies of bullying small business into passing on all their Goods and Services Tax savings and to fully bear the compliance cost resulting from the new tax?

(2) Is the Minister also aware the same article referred to the Institute of Chartered Accountants in Australia saying small to medium sized businesses (SMEs) were facing intimidatory tactics from major companies in the professional services and retail industries to whom they supply goods and services?

(3) Does the Minister intend to have the Small Business Development Corporation examine this matter and/or contact the Institute of Chartered Accountants of Australia to ascertain the degree to which this is occurring?

(4) If yes to (3), will the Minister provide a report to the House?

(5) If not, why not?

Mr COWAN replied:

(1) The Telstra Big Pond electronic news article to which you refer was available on 16 May only. While I am aware of the general issue, I did not see the specified article and therefore cannot comment on it.

(2) I am aware of a media release issued by the Institute of Chartered Accountants in Australia. The article indicates that small businesses may receive requests from major companies in the professional services and retail industries to pass on any cost decreases resulting from GST savings. As a result, the article advises that small suppliers should be fully aware of their pricing structures and costs. In very competitive sectors, such as the retail industry, major retailers have always sought the lowest possible prices from their suppliers. As the article points out, those small businesses that are fully aware of their costs and pricing structures, and are able to achieve cost savings as a result of the GST, will have a competitive advantage over those that do not. The Institute article makes no reference to 'bullying' or 'intimidatory' tactics and notes that the requests, for costs savings to be passed on, are within the law. The purpose of the Institute article is to serve as a reminder to small businesses to be sure of their pricing and to get proper advice, to cope with the transition to the new tax system. It should also be noted that the Unconscionable Conduct provisions of the Trade Practices Act are there to protect small business in the event that a larger business should exert its market power illegally.

(3) The SBDC is monitoring issues related to the GST transition of small business. As part of its role, the SBDC does receive complaints and examines issues affecting small businesses. Where appropriate, the SBDC refers these issues to the relevant authority, in this instance that would be the Australian Competition and Consumer Commission (ACCC). However, I must point out that, to date, the SBDC has not received any complaints on this issue. I have asked the SBDC to keep me informed of any key transitional issues or concerns as they arrive.

(4) Not applicable.

(5) See (3) above.

CITY OF SOUTH PERTH, TOWN PLANNING SCHEME No 6

2521. Ms MacTIERNAN to the Minister for Planning

(1) Will the Minister advise whether the City of South Perth - Town Planning Scheme No.6 has been made in accordance with the mandatory procedure provided in the Town Planning Act and Town Planning Regulations?

(2) Will the Minister advise of the action taken to satisfy the statutory consultation requirements of section 7 (2aa) of the Town Planning and Development Act and regulation 15(4) of the Town Planning Regulations?

(3) Will the Minister confirm that the Scheme cannot come into effect even if approved by you if the statutory requirements have not been met?

Mr KIERATH replied:

(1) Yes. In respect of the provisions in the Town Planning and Development Act 1928 (as amended) and the Town Planning Regulations 1967 (as amended), the City of South Perth has certified that all actions required to be taken by the City have been taken in respect of the making of the Scheme.

(2) The City of South Perth, as the responsible authority, has certified that the following action has been taken to comply with:

(a) Sec. 7 (2aa) of the above Act, ie to make reasonable endeavours to consult, prior to submitting the Scheme to the Minister, by:

* surveying a sample 1000 households regarding scheme matters, holding further discussions with ratepayers and residents, and forming 'precinct committees' in respect of the 14 precincts in the

Scheme area. (The committees met regularly for a period of 7 months, and reported to the City on local issues and views for the purpose of preparation of the Scheme); and

* seeking advice and information from the relevant public authorities, including servicing and community bodies, in respect of matters pertinent to the Scheme; and

(b) Regulation 15 (4) of the above Regulations, by formally advising the relevant public authorities of the Scheme, the locations where the Scheme could be inspected and the relevant information regarding the making of submissions on the Scheme. Note that the Scheme is not a 'development' scheme as defined in the Regulations, and therefore the Council was not required to formally advise every landowner in the Scheme area.

(c) In addition to complying with the above requirements of the Act and Regulations, the Council took the following action:

(i) Council forwarded to all properties, by means of letterbox drop, and to absentee owners by mail, a package which comprised a cover note in bold print advising that 'very important information' was enclosed, a brochure explaining the scheme process and the main principles of the scheme, a coloured map showing the zoning and residential density proposals, advice about the advertising period and its purpose, a summary of the Minister's required modifications, and a printed submission form. The City has advised that the package was distributed to some 25,000 recipients.

(ii) during the 3 month advertising period Council, in addition to the statutory advertising requirements, placed 5 ‘display’ advertisements in “The West Australian” newspaper and 5 ‘display’ advertisements in the “Southern Gazette” newspaper. Similar notices were placed in Council libraries and shopping centres; and feature stories were placed in the "Southern Gazette" and "The Peninsula" (Council's newsletter) regarding scheme matters.

(3) Not applicable - refer to (1) and (2) above.

WATER AND RIVERS COMMISSION, ADVICE ON COUNTRY LODGING HOTEL

2536. Mr McGOWAN to the Minister for Water Resources:

(1) Did the Water and Rivers Commission provide advice on Country Lodging Australia’s proposed hotel at Barrack Square?

(2) If yes, will the Minister table that advice, and if not, why not?

Dr HAMES replied:

(1) Yes, technical advice to the Swan River Trust.

(2) Yes. [See paper No 1012.]

SWAN RIVER TRUST, PLANS FOR COUNTRY LODGING HOTEL

2537. Mr McGOWAN to the Minister for Water Resources:

(1) On what date did the Swan River Trust receive the original plans for Country Lodging Australia’s proposed hotel at Barrack Square?

(2) Were these original plans approved by the Swan River Trust?

(3) On what date were the revised plans received by the Swan River Trust?

(4) On what date did the Swan River Trust approve the plans?

(5) Which members-

(a) voted for the proposal;
(b) voted against the proposal;
(c) abstained from voting; and
(d) were not present for the vote?

(6) Did the Swan River Trust provide advice on the proposed hotel?

(7) If yes, will the Minister table that advice, and if not, why not?

Dr HAMES replied:

(1) 8 June 1999.

(2) No.

(3) 31 March 2000.

(4) On 16 March 2000 the Swan River Trust resolved to advise the Minister for Water Resources that it recommends conditional approval.

(5) (a)-(b) An absolute majority vote was recorded. The Trust minutes do not record individual votes.
(c)-(d) Nil.

(6) Yes.

(7) No, not at this time, however, I am prepared to table the Trust's report when I have made my decision.

ABORIGINAL ARTS CENTRE, PERTH, FUNDING

2666. Ms WARNOCK to the Minister for Aboriginal Affairs:

(1) What is the status of the planned Aboriginal Arts Centre at the corner of Beaufort and Newcastle Streets in Perth?

(2) What funding has been set aside for this project in the 2000-1 budget?

(3) When is the projected opening date?

(4) What facilities will be available at the Centre?

Dr HAMES replied:

(1) The proposed Aboriginal Arts Centre is being progressed by the Department of Commerce and Trade and the Aboriginal Advancement Council.

(2)-(4) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF IN THE PILBARA

2678. Mr GRAHAM to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

(1) What departmental staff in departments under the Deputy Premier's control are located in the following towns -

(a) Port Hedland;
(b) South Hedland;
(c) Tom Price;
(d) Paraburdoo;
(e) Telfer;
(f) Marble Bar;
(g) Nullagine;
(h) Karratha;
(i) Halls Creek;
(j) Wiluna;
(k) Dampier;
(l) Roebourne; and
(m) Wickham?

(2) What are the classifications of those staff?

(3) What programs are currently being funded in the towns listed in the departments under the Deputy Premier's control?

Mr COWAN replied:

Department of Commerce and Trade
(1) Nil.

(2) Not applicable.

(3) The Department of Commerce and Trade have provided grants under the following programs in the 1999/2000 financial year. This does not include any grants provided to individual businesses.

Port Hedland	Project Mainstreet
South Hedland	Regional Headworks Development Scheme
Nullagine	Indigenous Economic Development Scheme
Wiluna	Information and Communication Services Development Scheme and the Indigenous Economic Support Scheme

Kimberley Development Commission
(1) Nil.

(2) Not applicable.

(3) Halls Creek – The Kimberley Development Commission in partnership with the Shire of Halls Creek, and other Federal, State and community organisations is funding the development of a Community Resource Centre in Halls Creek.

Midwest Development Commission
(1) Nil.
(2)-(3) Not applicable.

Pilbara Development Commission
(1)-(2) *Port Hedland* – The Pilbara Development Commission currently employs 7.5 staff in Port Hedland. Staff occupy the positions of:
Chief Executive Officer – Level 9
Principal Policy Officer - Level 7
Coordinator - Strategic Infrastructure Planning - Level 7
Aboriginal Economic Development Officer – Level 6
Finance & Administration Manager – Level 5
Executive Officer – Level 4
Administration Officer – Level 2
Administration Assistant – Level 1; 0.5 FTE

Karratha – The Pilbara Development Commission currently employs 3 staff in Karratha. Staff occupy the positions of:
Senior Project Officer – Level 5
Coastal Facilitator – Level 5
Project Assistant – Level 2

(3) The Pilbara Development Commission has three output areas to achieve the outcome of 'Enhancement of the Pilbara Region's Economic and Social Development'. Following is a list of strategies employed in delivering each Output. All projects under each strategy are aimed at enhancing the Pilbara Region's Economic and Social Development, including in the Pilbara towns listed

Output 1; Business and Industry Development
Strategies employed in delivering this output are;
(i) Economic Diversification
(ii) Development Assistance
(iii) Aboriginal Economic Development
(iv) Addressing Impediments to Development

Output 2; Infrastructure Service Identification and Coordination
Strategies employed in delivering this output are;
(i) Communications Enhancement
(ii) Transport System Development
(iii) Social Service Enhancement
(iv) Planning Coordination

Output 3; Regional Promotion
Strategies employed in delivering this output are;
(i) Information Provision
(ii) Regional Promotion
(iii) Corporate Promotion

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF IN THE PILBARA

2681. Mr GRAHAM to the Minister for Primary Industry; Fisheries:

(1) What departmental staff, in departments under the Minister's control, are located in the following towns -

(a) Port Hedland;
(b) South Hedland;
(c) Tom Price;
(d) Paraburdoo;
(e) Telfer;
(f) Marble Bar;
(g) Nullagine;
(h) Karratha;
(i) Halls Creek;
(j) Wiluna;
(k) Dampier;
(l) Roebourne; and
(m) Wickham?

(2) What are the classifications of those staff?

(3) What programs are currently being funded in the towns listed in the departments under the Minister's control?

Mr HOUSE replied:

Agriculture Western Australia:
(1) (a) 2
(b)-(g) Nil.
(h) 7

(i) 1
(j)-(m) Nil.

(2) (a) 1 at level 2
1 at level 3
(h) 1 at level 2
1 at level 2/4
3 at level 3
1 at level 5
1 at level 6
(i) 1 at level 3

(3) (i) Agriculture Protection Program:
WAQIS- interstate import clearance
AQIS - import clearance, airports, seaports, international animal exports
Wild dog management, declared weed management, feral donkey management, interstate stock movements, stock identification & movement, animal disease surveillance, animal pest – other species management, animal pest introduction and keeping.
(ii) Sustainable Rural Development Program:
Best practice, better business, land conservation district support, NHT regional assessment panel/ WA LandCare Trust support.
(iii) Meat Program:
Technology transfer, regional partnership support, quality assurance.

Fisheries Western Australia:
(1) (a)-(g) Nil.
(h) 3
(i)-(m) Nil.

(2) (h) 1 at level 3
2 at level 2

(3) To provide services for the four Agency programs
(i) Commercial fisheries
(ii) Recreational fisheries
(iii) Pearling and aquaculture
(iv) Fish and fish habitat protection.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF IN THE PILBARA

2686. Mr GRAHAM to the Minister for Housing; Aboriginal Affairs; Water Resources:

(1) What departmental staff, in departments under the Minister's control, are located in the following towns -
(a) Port Hedland;
(b) South Hedland;
(c) Tom Price;
(d) Paraburdoo;
(e) Telfer;
(f) Marble Bar;
(g) Nullagine;
(h) Karratha;
(i) Halls Creek;
(j) Wiluna;
(k) Dampier;
(l) Roebourne; and
(m) Wickham?

(2) What are the classifications of those staff?

(3) What programs are currently being funded in the towns listed in the departments under the Minister's control?

Dr HAMES replied:

Aboriginal Affairs Department:
(1)-(2) (a) 1 x Regional Manager (Level 7)
2 x Local Area Coordinator (Level 4/5)
1 x Forums Officer (Level 4)
1 x Management Support Officer (Level 2)
(b)-(h) Not applicable.
(i) 2 x Local Area Coordinator (Level 4/5).
(j)-(k) Not applicable.
(l) 1 x Local Area Coordinator (Level 4/5)
(m) Not applicable.

(3) (a) Pakala Aboriginal Street Patrol, heritage and culture funding to Murapkarinyu Aboriginal Corporation, Town Reserves funding to Tjalka Warra Community, National Aboriginal and Indigenous Day of Observance Committee funding to the East Pilbara College of TAFE Pundulmurra College.
(b) Pakala Aboriginal Street Patrol.

(c)-(h) Not applicable.
(i) Halls Creek Aboriginal Street Patrol.
(j) Ganah Ganah Aboriginal Street Patrol.
(k) Not applicable.
(l) Mingga Aboriginal Street Patrol and Town Reserve funding to Cheeditha Community.
(m) Not applicable.

Ministry of Housing:
(1)-(2) (a) Not applicable.
(b) 1 x Level 7
1 x Level 5
2 x Level 4
5 x Level 3
3 x Level 2
7.5 x Level 1
(c)-(g) Not applicable.
(h) 2 x Level 2
3 x Level 3
1 x Level 2
3 x Level 1
(i)-(m) Not applicable.

(3) All the programs operated by the Ministry of Housing are available in these towns including:
Crisis Accommodation Program.
Community Housing Program.
Aboriginal Rental Housing Program.
Rental Housing Program.
Home Ownership Programs – (Keystart, GoodStart, Right to Buy, Aboriginal and Access for people with disabilities).
Housing Access Loan Program.
New Living Program.
Stock Replacement Program.
Refurbishment Program.
Supported Housing Assistance Program.
Land Development Program.
Management Support Program.
Aboriginal Tenants Support Service.
Community Construction Program.
Remote Areas Essential Services Program.
Aboriginal Communities Strategic Investment Program.
Government Employees Housing Program.
Housing Finance Access Program.
Housing Development Incentive Program.
Housing Development Incentive Program – Natural Disasters.

Water and Rivers Commission:
(1)-(2)(a)-(g) Not applicable.
(h) 1 x Regional Manager (Level 7)
1 x Administration Officer (Level 2)
1 x Pilbara Districts Manager (Level 6)
1 x Environmental Officer (Level 2/4)
3 x Water Resource s Officer (Level 2, 3 and 4)
(i)-(m) Not applicable.

(3) Water resources management programs including: water resources assessment and measurement, flood warning, water use licensing, waterways management and water quality protection.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF IN THE PILBARA

2688. Mr GRAHAM to the Minister for Employment and Training; Youth; the Arts:

(1) What departmental staff, in departments under the Minister's control, are located in the following towns -
(a) Port Hedland;
(b) South Hedland;
(c) Tom Price;
(d) Paraburdoo;
(e) Telfer;
(f) Marble Bar;
(g) Nullagine;
(h) Karratha;
(i) Halls Creek;
(j) Wiluna;
(k) Dampier;
(l) Roebourne; and
(m) Wickham?

(2) What are the classifications of those staff?

(3) What programs are currently being funded in the towns listed in the departments under the Minister's control?

Mr BOARD replied:

Employment and Training

(1)

Department of Training and Employment Port Hedland/South Hedland – 1 staff member.

Eastern Pilbara College of TAFE	
Port Hedland/South Hedland	169 staff
Roebourne	21 staff

Marble Bar, Nullagine, Dampier and Wickham: These areas are not permanently staffed but training is delivered in blocks as required, on site, by staff from Eastern Pilbara College of TAFE.

Karratha College of TAFE	
Karratha	78 staff
Paraburdoo	1 staff
Tom Price	7 staff
Kimberley College of TAFE	
Halls Creek	9 staff

(2)

Department of Training and Employment	
Port Hedland/South Hedland	Level 6 x 1
Eastern Pilbara College of TAFE	
South Hedland	
Salaried Officers	Level 1 x 18; Level 2 x 22 Level 3 x 9; Level 4 x 4; Level 5 x 3 Level 6 x 5; Level 7 x 2; Level 8 x 2 Class 1 CEO x 1 Casuals x 21
Lecturing Staff	Level 7 x 1; Level 8 x 1; Level 9 x 6; Level 10 x 14; Level 11 x 5 Level 12 x 11; Level 13 x 2 Level 14 x 5; Casuals x 37.
Roebourne:	
Salaried Officers	Level 1 x 3; Level 2 x 1 Level 6 x 1; Casuals x 2
Lecturing Staff	Level 8 x 1; Level 10 x 2 Level 12 x 2; Level 14 x 1 Casuals x 8.
Karratha College of TAFE	
Karratha:	Level 1 x 8; Level 2 x 19 Level 2/4 x 1; Level 3 x 6; Level 4 x 3 Level 4/5 x 2; Level 5 x 2; Level 8 x 2 Class 1 x 1; Lecturer Level 8 x 2 Lecturer Level 9 x 1 Lecturer Level 10 x 9 Lecturer Level 11 x 1 Lecturer Level 12 x 3 Lecturer Level 13 x 1 Lecturer Level 14 x 3 Senior Lecturer x 5; Wages x 9
Paraburdoo	Level 2 x 1.
Tom Price	Level 1 x 1; Level 2 x 1; Level 3 x 1 Level 7 x 1; Lecturer Level 12 x 2 Lecturer Level 14 x 1.
Kimberley College of TAFE	
Halls Creek	Level 1 x 1; Level 2 x 1; Level 4 x 1 Level 6 x 1; Lecturers x 5.

(3)

Department of Training & Employment
The following programs are directly funded by the Department:

Karratha	Joblink; Training Administration Body School Leaver Program Hamersley Iron Priority Skills Enhancement Program
Dampier:	Joblink services provided from Karratha
Marble Bar	Nil
Nullagine	Nil
Paraburdoo	Joblink service from Newman
Port Hedland and South Hedland	Aboriginal Economic and Employment Development Officer (AEEDO) Joblink; Aboriginal Schools Based Traineeship
Roebourne	Joblink services provided from Karratha

Tom Price	You Unlimited; Joblink service from Newman Youth Centre Internet Job Search Access Aboriginal Cultural Tourism Tender
Telfer	This is a mining camp – no public access.
Wickham	Joblink services provided from Karratha
Wiluna	Mining Access Program; Building Construction Worker II; New Opportunities for Women Program Community Economic Development Officer

Regional Employment Coordinators: The Department funds three Regional Employment Coordinators (RECs) which service the regions identified. The RECs are based in Pt Hedland, Kununurra and Kalgoorlie.

TAFE Colleges: The Department funds three TAFE Colleges to service these regions: Eastern Pilbara College of TAFE; Karratha College of TAFE; Kimberley College of TAFE. All of the Colleges provide a range of vocational education and training programs.

WestOne: The Department funds a range of services available on the internet, providing increased access for regional areas. These include: the recently launched GetAccess website providing career and training information on a wide range of occupations and online delivery of a broad range of vocational education and training and courses.

Youth

(1) Nil.

(2) Not applicable.

(3)

(a)	Port Hedland	
	Cadets WA Program	Training Ship Pilbara Naval Reserve Cadets
	Youth Grants WA Program	Town of Port Hedland Youth Advisory Council – activities to celebrate National Youth Week - $1 500.
(b)	South Hedland	
	Youth Grants WA Program	Town of Port Hedland – establishment of skate park in South Hedland Town Centre - $10 000.
		Youth Involvement Council - project involved in running a music appreciation program for young people to be held in the music room at the Youth Centre in Hedland - $14 000.
		Youth Involvement Council - provision of a youth facility to expand existing youth services in the South Hedland Enhancement Scheme - $30 000.
		Hedland Senior High School - establishment of a School Sports Council - $2 000.
		Port Hedland Police & Citizens Youth Club - project involved in the purchase of stereo equipment, lighting, skates and compact discs to commence PCYC skating and discos in the existing hall - $7 500.
(c)	Tom Price	
	Cadets WA Program	Tom Price Senior High School Emergency Service Cadets.
	Youth Grants WA Program	Paraburdoo & Tom Price Youth Support Association – involved staging a mini Art Festival for Youth under the "Lookout" program, which was sponsored and developed by the "Awesome Perth International Children's Festival" - $2 000.
		Shire of Ashburton - funding to construct a multi-functional facility to encompass Skateboard, BMX and Roller Blade activities - $10 000.
(d)	Paraburdoo	
	Youth Grants WA Program	See 3(c).
(e)	Telfer - Nil.	
(f)	Marble Bar	
	Cadets WA Program	Marble Bar Primary School Police Rangers.
(g)	Nullagine	
	Cadets WA Program	Nullagine Primary School Police Rangers.
(h)	Karratha	
	Cadets WA Program	508 Regional Army Cadet Unit.
	Youth Grants WA Program	Skillshare Karratha – project involved in establishing a skate park facility at the "Gurds Youth Café" site at the Karratha Shopping Centre - $10 000.

		Skillshare Karratha – project involved in the establishment of a Youth Café for young people in the Shire of Roebourne - $24 492.
		The Salvation Army Karratha - funding was provided to upgrade and repair the existing facilities such as the mini golf greens, skateboard ramps, trampoline surrounds fencing, tennis and pool tables - $4 500.
(i)	Halls Creek Cadets WA Program Youth Grants WA Program	 Halls Creek District High School Police Rangers. Shire of Halls Creek – project involved running a three-month safe sex, protective behaviour, nutritional, grooming, deportment and dance program - $4 000.
(j)	Wiluna - Nil.	
(k)	Dampier - Cadets WA Program	 Training Ship Dampier Naval Reserve Cadets.
(l)	Roebourne - Nil.	
(m)	Wickham - Nil.	

Arts

(1) Neither the Ministry for Culture & the Arts does nor any of its agencies have staff located in any of these towns.

(2) Not applicable.

(3) ArtsWA

Port Hedland: The Town of Port Hedland received $15 000 in 1997 through ArtsWA for the development of a cultural plan. The cultural plan was completed in 1999. Training for ten local community members was provided. Consultation with 680 community participants occurred. The cultural plan is linked to the Town of Port Hedland's strategic plan.

South Hedland

Ngalikuru Ngukumarnta Aboriginal Corporation - This organisation received $20 000 in 1999 for the development of new theatre works to be performed at the Broome festival in 2000.

Bloodwood Tree Association - This organisation received $17 600 in 2000 to stage the Ninji Ninji Festival which will be held in early October 2000. This is a contemporary music festival which involves both Aboriginal and non-Aboriginal performers for the benefit of the general public. They also received $2 000 for NAIDOC Activities for 2000.

Youth Involvement Council - This organisation received $4 000 in 2000 to conduct a community arts workshop with young Aboriginal youth employing a local Aboriginal artist.

Roebourne: The Shire of Roebourne received $15 000 in 1997 through ArtsWA for the development of a cultural plan. The cultural plan was completed in 1999. A Cultural Development Officer position has been created through the implementation of the cultural plan and has been funded through the Regional Arts Fund.

Halls Creek: Yarliyil Arts Centre received $7 000 in 1999 for funds toward a five-day cultural festival for women.

Mr Kevin Gunn received $3 500 in 2000 for funds towards a compact disk production.

Mr Frank Shoveller received $4 000 in 2000 for the production of his first solo CD.

Kimberley Language Resource Centre received $500 for funds toward a re-run of a small publication.

Library and Information Service of Western Australia - None.

Western Australian Museum: The WA Museum is not a funding body. However communities in the Pilbara region have regular access to annual visits by Museum Assistance Program staff. This year's annual visits took place in late May and early June.

Art Gallery of Western Australia: The Art Gallery does not fund any specific programs in the towns listed, however, it does tour exhibitions to regional centres and our staff provide advice and assistance when requested. As an example the *"Year 12 Perspectives"* exhibition will visit Karratha this year.

Perth Theatre Trust: None.

ScreenWest: None.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF IN THE PILBARA

2691. Mr GRAHAM to the Minister for Works; Services; Citizenship and Multicultural Interests:

(1) What departmental staff, in departments under the Minister's control, are located in the following towns -

(a) Port Hedland;
(b) South Hedland;
(c) Tom Price;
(d) Paraburdoo;
(e) Telfer;
(f) Marble Bar;
(g) Nullagine;
(h) Karratha;
(i) Halls Creek;
(j) Wiluna;
(k) Dampier;
(l) Roebourne; and
(m) Wickham?

(2) What are the classifications of those staff?

(3) What programs are currently being funded in the towns listed in the departments under the Minister's control?

Mr JOHNSON replied:

Department of Contract and Management Services
(1)-(2) With respect to Contract and Management Services (CAMS) the following applies:

(a) Nil.
(b) Two staff (1 x level 2; 1 x level 4)
(c)-(g) Nil.
(h) Three staff (1 x level 7; 1 x level 4; 1 x level 2)
(i)-(m) Nil.

(3) CAMS does not fund any programs in the towns listed above. However, CAMS' regional offices currently manage annually around $40 million worth of building related contracts and goods and services contracts statewide for other agencies eg. Education Department and WA Police Service.

State Supply Commission
(1) (a)-(m)
Nil.
(2)-(3) Not applicable.

Office of Citizenship and Multicultural Interests
(1) (a)-(m)
Nil.
(2)-(3) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF IN THE PILBARA

2692. Mr GRAHAM to the Minister representing the Minister for Mines:

(1) What departmental staff, in departments under the Minister's control, are located in the following towns -
(a) Port Hedland;
(b) South Hedland;
(c) Tom Price;
(d) Paraburdoo;
(e) Telfer;
(f) Marble Bar;
(g) Nullagine;
(h) Karratha;
(i) Halls Creek;
(j) Wiluna;
(k) Dampier;
(l) Roebourne; and
(m) Wickham?

(2) What are the classifications of those staff?

(3) What programs are currently being funded in the towns listed in the departments under the Minister's control?

Mr BARNETT replied:

(1) (a) Port Hedland - None
(b) South Hedland - None
(c) Tom Price - None
(d) Paraburdoo - None
(e) Telfer - None
(f) Marble Bar - 4 Staff:
1 x Mining Registrar
1 x Officer
1 x Cleaner
1 x Gardener

	Nullagine	-	None
	Karratha	-	10 Staff: 1 x Regional Mining Engineer 2 x District Mining Engineers 2 x Special Inspectors of Mines Machinery 1 x Employee Inspector of Mines 1 x Mining Registrar 1 x Technical Officer Occupational Health 1 x Administrative Assistant 1 x Clerk Typist
(i)	Halls Creek	-	None
(j)	Wiluna	-	None
(k)	Dampier	-	None
(l)	Roebourne	-	None
(m)	Wickham	-	None

(2)

Marble Bar	Karratha
4 staff	10 staff
Mining Registrar, Level 5	Regional Mining Engineer, Level 8
Officer, Level 1	2 x District Mining Engineers, Level 7
Cleaner	2 x Special Inspectors of Mines Machinery, Level 5
Gardener	Employee Inspector of Mines, Level 5
	Mining Registrar, Level 5
	Technical Officer Occupational Health, Level 3
	Administrative Assistant, Level 2
	Clerk Typist, Level 1

(3) The Department of Minerals and Energy (DME) currently funds no programs in the towns listed. Programs are based on regions rather than towns. DME is funding programs totalling $3.9 million on geological, mineral title, mining safety and environmental services in the Pilbara.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF IN THE PILBARA

2693. Mr GRAHAM to the Minister representing the Minister for Racing and Gaming:

(1) What departmental staff, in departments under the Minister's control, are located in the following towns -

(a) Port Hedland;
(b) South Hedland;
(c) Tom Price;
(d) Paraburdoo;
(e) Telfer;
(f) Marble Bar;
(g) Nullagine;
(h) Karratha;
(i) Halls Creek;
(j) Wiluna;
(k) Dampier;
(l) Roebourne; and
(m) Wickham?

(2) What are the classifications of those staff?

(3) What programs are currently being funded in the towns listed in the departments under the Minister's control?

Mr COWAN replied:

(1) Nil.

(2) Not applicable.

(3) Nil.

INFILL SEWERAGE PROGRAM, NUMBER OF CONNECTIONS

2699. Mr BROWN to the Minister for Water Resources:

(1) As of 30 June 1995 how many homes were provided with deep sewerage under the Infill Sewerage Program?

(2) What percentage of the homes provided with deep sewerage up until that date are now connected to the system?

(3) How many homes at or prior to 30 June 1995 have yet to connect to the system?

(4) How many homes have been provided with deep sewerage since the Infill Sewerage Program commenced?

(5) What percentage of homes are connected to the system?

Dr HAMES replied:

(1) Approximately 8,500 lots.

(2) It is estimated that approximately 70% of those lots are now connected.

(3) 2,550 or 30% of lots.

(4) As at 30 June 1999, 45,441 lots had been provided with reticulated sewerage. The lot count for the 1999/2000 year is presently under way. It is estimated that 8,460 lots will be serviced for the year.

(5) Approximately 61% of lots supplied with reticulated sewerage have connected to the system.

WATER RESOURCES, ELLENBROOK, HEADWORKS CHARGE

2700. Mr BROWN to the Minister for Water Resources:

(1) Is there a special headworks charge for residences in Ellenbrook?

(2) What is that charge?

(3) How does it differ from the standard charge?

(4) What would be the standard charge?

Dr HAMES replied:

(1) No.

(2)-(4) Not applicable.

COMMUNITY DISABILITY HOUSING PROGRAM, FUNDING

2704. Mr BROWN to the Minister for Housing:

(1) Does the Ministry of Housing/Homeswest operate a Community Disability Housing Program?

(2) What is the purpose of the program?

(3) What was the Budget allocation to the program in the following financial years -

(a) 1997/1998;
(b) 1998/1999;
(c) 1999/2000; and
(d) 2000/2201?

(4) What was the total amount expended in each of the financial years?

(5) How many houses/units were purchased in each of the financial years?

(6) In the 1999/2000 financial year, how many applications were made for funds under the program?

(7) How many applications were denied?

(8) Of the applications that were denied, in what suburbs did the applicants seek to purchase houses under the program?

(9) How many applications in the 1999/2000 financial year were approved?

(10) In what suburbs were houses/units purchased in the 1999/2000 financial year?

Dr HAMES replied:

(1) Yes.

(2) The Community Disability Housing Program (CDHP) provides community managed accommodation options for people with disabilities who require support to live independently in the community. Under the program the Ministry of Housing leases properties to community agencies, on condition that the tenants to be housed have appropriate support arrangements in place to help sustain independent living. In most cases this support is funded by the Health Department of WA or the Disability Services Commission.

(3) (a)-(d) The Ministry of Housing provides 60 units per annum to both Disability Services Commission and Health Department clients.

(4) The Ministry commitment to this program is by way of total units. These units are provided through the mainstream Housing Program and therefore expenditure for CDHP is not easily identified.

(5) (a) 53.
(b) 77.
(c) 31 to 31 May 2000.
(d) Not applicable.

(6) There is no application process for CDHP. Allocations are determined through negotiation with Health Department of WA and the Disability Services Commission for their identified priority clients.

(7)-(9) Not applicable.

(10) Attadale, Balcatta, Bassendean, Bicton, Broome, Bullsbrook, Bunbury, Cannington, Craigie, Dianella, Eden Hill, Esperance, Fremantle, Gosnells, Greenfields, Greenwood, South Guildford, Joondanna, Kardinya, Kingsley, Mandurah, Melville, Merriwa, Morley, Osborne Park, Shoalwater, Spearwood, Thornlie and Yokine.

QUESTIONS WITHOUT NOTICE

WESTRAIL FREIGHT SALE, DEPUTY LEADER OF THE LIBERAL PARTY

939. Dr GALLOP to the Premier:

(1) Is the Premier aware that at a seminar held by the Institute of Public Administration yesterday his Liberal Party deputy once again publicly criticised the Government's plans to privatise Westrail freight?

(2) Is the Premier aware that the Liberal Party deputy leader claimed that he was not part of the Westrail privatisation process, that he was not convinced all the groundwork had been done to identify what is actually being sold, and that the rolling stock and track should not be sold or leased to the same bidder?

(3) Did the Premier not rebuke his deputy in January when he first publicly criticised the Westrail privatisation and did the Premier not insist at that time that he should limit his comments to Cabinet?

(4) Does this not again confirm that no-one, including his Liberal Party deputy, takes him seriously?

Mr COURT replied:

(1)-(4) I was not at the seminar held yesterday by the Institute of Public Administration, so I am not aware of what was said there. However, we have had extensive debate on the various privatisations.

Dr Gallop: Will you rebuke your deputy?

Mr COURT: I cannot comment if I do not know what was said at a function. I will not take the word of the Leader of the Opposition for what was said.

Two major privatisations have occurred; that is, the sale of BankWest and the Dampier to Bunbury gas pipeline. The sale of SGIO Insurance Ltd was commenced by the Leader of the Opposition. Extensive debate has occurred regarding the sale of both AlintaGas and Westrail. None of these sales is easy.

Is it not correct that the Opposition has taken the easy way out and said that it is opposed to all privatisations?

Dr Gallop: You know we are opposed to the privatisation of our major public utilities.

Mr COURT: The Opposition has said that it is opposed -

Dr Gallop: Don't play silly word games; no-one is listening; answer the question.

Mr COURT: Does the Leader of the Opposition support any privatisation?

Dr Gallop: I support the privatisation of that silly belltower you built. Does that make you happy?

Mr COURT: So the Leader of the Opposition picks and chooses! We are undertaking a process for the sale of Westrail and AlintaGas in line with government policy.

NEW LIVING STRATEGY

940. Mr MacLEAN to the Premier:

On Sunday the Premier commemorated the completion of the Lockridge New Living project. What effect has this initiative had on the level of crime in the area?

Mr COURT replied:

Mr Speaker -

Mr McGinty interjected.

Mr COURT: The New Living strategy?

Mr McGinty: The first of those houses was knocked down when I was the minister.

Mr COURT: If that is so, pigs will fly! Ten years in government and members opposite neglected their heartland.

Mr Ripper: You should have seen the houses which Homeswest spent $40m to build.

Mr COURT: The Government pork-barrelled the electorate of the member for Belmont. We are talking about a coalition Government doing something about a Labor Party heartland because the areas were an absolute disgrace.

Mr McGinty interjected.

The SPEAKER: Order! We cannot have as much interjecting as that.

Mr COURT: The project in Lockridge started five years ago.

Mr McGinty: Get your facts straight.

Mr COURT: I do not think the Labor Party was in government five years ago. On Sunday we commemorated the completion of that program. It has been a commercial and social success due to tremendous cooperation between a number of different parties. I compliment the Minister for Housing, Homeswest, the City of Swan and the member for Bassendean and Hon Derrick Tomlinson in particular, who have taken an interest in this matter.

Mr McGinty interjected.

Mr COURT: The Opposition had its opportunity but missed it. One of the positive results is that crime levels of five years ago are now down by approximately 38 per cent in that area and the police have earmarked it as a low-level crime area.

It was most pleasing to hear the community representative say on Sunday that she was sceptical at the outset of the project five years ago when she and other members of the community outlined their requirements to achieve the desired outcome. On Sunday she said that all those requirements had been met. There has, therefore, been a great deal of cooperation with the local community. Interestingly, when the project began, half of the properties were owned by Homeswest. Public housing is now down to only 16 per cent and it will reach its target of 12 per cent. I had an opportunity to meet some of the people living in some of these revitalised homes and units and they are very appreciative that such a program has been established. Members opposite should be squirming because they neglected all those areas. This Government now has 17 of these projects under way. The program has been expanded to country areas, one of the major benefits of which is that crime is reducing.

MEMBER FOR GERALDTON'S CAR DEALERSHIP

941. Mr RIPPER to the Premier:

I refer to the member for Geraldton's admission in the *Sunday Times* this week that he touted for business from government agencies and that the Government purchased 69 cars worth almost $1.7m from his car dealership in the past two years, and ask -

(1) Is the Premier aware of allegations made by another car dealer that the member for Geraldton's dealership was financially advantaged by its Liberal Party links?

(2) Will the Premier investigate those allegations to ensure that the member for Geraldton has received no special treatment; if so, will he make the findings of that investigation public?

Mr COURT replied:

(1)-(2) When I saw that story I made inquiries. I have been advised that the purchasing process was very proper. There is no cause for concern that it has been carried out improperly. The Department of Contract and Management Services has contracts with all the major vehicle manufacturers. It has an agreed price for each vehicle and the vehicles are acquired through four fleet managers. Government agencies inform the fleet managers of their vehicle requirements - Ford, Holden, Toyota, etc - and the fleet managers are encouraged to buy locally, a policy with which I am sure all members would agree.

Yes, the member for Geraldton and his wife have a Ford and Nissan franchise in Geraldton. Of the government vehicles purchased in the Geraldton area from March 1998 to January 2000, 65 were from the member's company and 144 from his major competitor, a Holden dealer. If the member for Geraldton is touting for business, he is not doing it too well! I am advised that he does not "tout" for business but, rather, his business is conducted through the proper purchasing arrangements.

MEMBERS OF PARLIAMENT'S BUSINESSES, GUIDELINES

942. Mr RIPPER to the Premier:

Are there any guidelines regulating the activities of members of Parliament who conduct business with the Government? If so, will the Premier table those guidelines?

Mr COURT replied:

I cannot tell the member off the top of my head whether specific guidelines exist. However, many members of Parliament on both sides of the House have businesses and when the Opposition was in government, it did business with its ministers.

Mr Ripper: I didn't do any business.

Mr COURT: No, I am saying the Labor Government did. The Government rented buildings and the like from Labor Party ministers. Therefore, members should not think that members of Parliament do not have businesses. They run farms and all sorts of activities which they must disclose to Parliament.

Ms MacTiernan: They can come to Parliament and sell potatoes to the dining room; is that what you say?

Mr COURT: I will make that inquiry about guidelines for the Deputy Leader of the Opposition.

JOONDALUP HEALTH CAMPUS, AUDITOR GENERAL'S REPORT

943. Mr BAKER to the Minister for Health:

I refer to the Auditor General's report on the Joondalup Health Campus contract which was tabled last week, and ask whether the report indicated that value for taxpayers' money was being obtained and what follow-up action is being taken by the Government?

Mr DAY replied:

I thank the member for some notice of this question.

The report on the Joondalup Health Campus contract, which the Auditor General presented last week, is very positive for that contract and our health system. It makes a number of very supportive comments about the policy which the Government has put in place and, more particularly, the effects of the policy. For example, the Auditor General stated that the cost and quality of services delivered by the Joondalup Health Campus are generally comparable to those of metropolitan public hospitals. It stated that there was a $300 000 to $400 000 saving to taxpayers in the 1999-2000 financial year and also that competition from the Joondalup Health Campus contract has led to a reduction of the cost of elective surgery in other hospitals.

The Opposition tried to make a great story about the fact that there was not a major difference between the cost of providing services at Joondalup and other public hospitals. The reason is that the existence of Joondalup Health Campus has driven down the cost of providing services at public hospitals in the metropolitan area. That is, of course, of benefit to taxpayers and patients because it means that more funds can go to the areas that need them to provide more services to more patients. The Auditor General also indicated that the structural and procedural arrangements for managing the contract are good and that the risks associated with the contract are satisfactorily managed overall. In particular, that is a credit to the Health Department officers who manage the Joondalup contract. It was also suggested that it should be possible to negotiate a lower cost for emergency department services with the management of Joondalup hospital. That will be considered by the Health Department in the negotiations that are being undertaken at the moment. It should also be noted that there is currently an advantage to taxpayers because the cases that are dealt with at Joondalup are on average more complex than those dealt with in other non-teaching public hospitals in the metropolitan area. That, of course, means a cost advantage to taxpayers.

What do we see from the Labor Party about this positive report? The Labor Party has put out a media statement in which it, perhaps not unexpectedly, drew attention to the comment by the Labor Party that patient complaints were one and a half times greater than for other public hospitals. Fifteen complaints over a period of 18 months were upheld by the Office of Health Review, out of the many thousands of cases that are treated at the Joondalup Health Campus. That is hardly something to make a big song and dance about. The Auditor General went on to state -

> However, OHR indicated that caution needs to be exercised in interpreting the significance of the raw numbers for reasons such as differences in age cohorts. It should also be remembered that these complaints represent only a minute fraction of the number of services provided at JHC during this period.

Does the Labor Party tell us the full story? Of course it does not. It attempts to continue to deceive the public of Western Australia and hide the full story. The reality is that the Joondalup Health Campus contract has resulted in a lot of benefits, particularly to residents of the northern suburbs, but more broadly in our health system as well. It is time that the Opposition acknowledged that.

MEMBER FOR NINGALOO, CONFLICT OF INTEREST

944. Mr RIPPER to the Premier:

I refer to the involvement of the member for Ningaloo as both a member of a committee administering the Carnarvon soil replacement program and subsequently as a major beneficiary of a contract for soil replacement work and ask -

(1) Has the member for Ningaloo been a beneficiary of any contracts under the cyclone relief program in Carnarvon in addition to the $115 000 contract to Sweetcrete?

(2) Does the Premier have any concerns about the member for Ningaloo using his position for personal financial gain?

Mr COURT replied:

(1)-(2) I am sure that the member for Ningaloo would declare any interest in those matters, as would any other member of this Parliament. I cannot comment on the specific cases to which the member referred, but the member for Ningaloo has business interests in that town, as did the former Labor member for Ningaloo.

Mrs Roberts: He did not get any government contracts though.

Mr COURT: How does the member know?

Mr Cowan: He probably put petrol in government vehicles.

Mrs Roberts: You have no standards at all.

Mr COURT: Does the member think that whenever a car came into the station, the member for Ningaloo said, "That's a government vehicle. I won't serve petrol to that person." Come off it!

Mr Kobelke: Those people could have driven down the road to another service station. They had a choice.

Mr COURT: Come on! Pigs fly!

Mr Ripper: What about the soil replacement program?

Mr COURT: The Deputy Leader of the Opposition has asked the question. I will make the inquiries and give him a detailed answer. At a critical time when that town was flooded, the member for Ningaloo, at his own expense, took actions that stopped a large part of that town being flooded. He knows that area; he lives there.

Mr Marlborough interjected.

Mr COURT: It was that sort of situation. He lives and breathes that community. He did not stop working day and night for a month after that flood to make sure that those growers could get back into production quickly. I will follow through the concerns raised by the Deputy Leader of the Opposition to make sure that there was a proper declaration of interest in those matters.

AMITY OIL NL, WHICHER RANGE GAS FIELD

945. Mr MASTERS to the Minister for Resources Development:

Will the minister please give an update on progress being made by Amity Oil NL to define and develop the Whicher Range gas field south of Busselton?

Mr BARNETT replied:

I thank the member for Vasse for the question. The Whicher Range gas reserve is small compared with those on the north west coast, but is significant because it is in the south west and is an onshore resource. There has been about three years of drilling and testing of that resource by Amity Oil, the operator. That has proved to be generally successful. My understanding is that there are some difficulties with the rock structure - it is difficult to get the gas to flow through the material within which it is embedded. However, Amity Oil is now seeking contracts to start a small-scale commercial development of that field. Hopefully, if that proves successful, it will go to a larger development. It is of great interest. It has the potential to provide gas directly into the south west and has great potential for power generation as well.

MAIN ROADS WA, INVESTIGATION INTO LEAK OF DOCUMENT

946. Ms MacTIERNAN to the Premier:

I refer to Main Roads' private investigation in pursuit of public servants suspected of leaking a document - an investigation found to be unlawful by the Commissioner for Public Sector Standards and resulting in a finding that the employees had no case to answer.

(1) Will the Premier explain why the Government has failed to pay the legal costs of these victims, notwithstanding the fact that an account for these costs was submitted to the Government in December 1998?

(2) How does the Government reconcile paying the legal fees of the Minister for Fair Trading to appear at the Gunning inquiry but denying similar payment to public servants who were ultimately found innocent?

Mr COURT replied:

I thank the member for notice of the question.

(1) The Commissioner of Main Roads Western Australia has advised that one of the officers involved lodged a claim for reimbursement of legal costs on 10 December 1999.

Ms MacTiernan: 1998.

Mr COURT: I have 10 December 1999 in the answer.

The Commissioner of Main Roads responded to that individual on 16 December 1999, saying that he was prepared to

support an application for an ex gratia payment to meet the legal costs in defending that disciplinary action. He asked that person to provide a bill of costs from the solicitors so that arrangements could be made to seek approval for that sum to be paid. Further details have not been forthcoming.

Ms MacTiernan: This was -

Mr COURT: I am just giving the answer that has been provided to me by the Commissioner of Main Roads.

Dr Gallop: Will you pay his legal costs?

Mr COURT: The Commissioner of Main Roads has said that the bill should be sent in and the department will put forward the proposal.

Dr Gallop: That does not answer the question.

Mr COURT: I think the member should do a bit more homework before asking questions.

(2) The Minister for Fair Trading has not applied to have his legal fees paid by government. If and when an application is received, it will be forwarded to the Solicitor General for assessment against guidelines developed by the previous Labor Government - guidelines under which the member for Fremantle was paid legal expenses.

MAIN ROADS WA, INVESTIGATION INTO LEAK OF DOCUMENT

947. Ms MacTIERNAN to the Premier:

Does the Premier believe that, in those circumstances, these Main Roads employees should have their legal costs paid?

Mr COURT replied:

It is a decision that the Commissioner of Main Roads has made. I repeat: He has written to this person saying he is prepared to support an application for an ex gratia payment. The Government would accept the commissioner's advice. The commissioner wrote on 16 December asking this person to provide him with details of his solicitor's costs so that the matter could be proceeded with. As I said, further details have not been forthcoming.

DISABILITY SERVICES, GOVERNMENT'S COMMITMENT

948. Mrs HODSON-THOMAS to the Minister for Disability Services:

On 18 June, the State Government launched the Disability Services Commission's second five-year business plan, which announced significant growth in funding for disability services. Can the minister advise the House how and when individuals, families and key stakeholders within the disability field will be informed of the State Government's continued commitment to Western Australians with disabilities?

Mr OMODEI replied:

The State Government has continued its commitment to Western Australians with a disability by funding the Disability Services Commission's second five-year business plan. That plan provides growth funding of $112.2m cumulatively over five years from 2000-01 to 2004-05. In real terms, it is a 23 per cent increase on state government funding for disability services. The Premier launched the commission's business plan on Sunday, 18 June 2000. I have also released a budget bulletin which all members should have received. It will be sent to all service providers funded by the Disability Services Commission and to the ministerial advisory council for disability services.

I propose to hold a series of information seminars to spell out clearly how the funds will be allocated. Families and other stakeholders in country areas will be included in the information seminar schedule. Over the next few months I intend to visit Bunbury, Geraldton, Albany, Kalgoorlie and Broome to advise families of how the business plan funds will be allocated, and to hear their views. Under the new business plan, increased emphasis will be placed on providing support for families of people with disabilities on a preventive basis, and also providing assistance to people with disabilities, their families and carers before crisis situations develop.

Additionally, for the first time the commission will allocate a portion of its overall budget specifically for people with disabilities and their families who live in country areas. An estimated 26 per cent of people with disabilities live outside the metropolitan area. A similar amount of money - 26 per cent of available funds - will be used to provide increased services in the country. By funding the second five-year business plan, the State Government has made good on its commitment to the disability sector. The increase in funding will help the Government to "make a difference", which is the name of the new plan to all people with disabilities, and their familiars and carers in Western Australia.

MESSRS DOWLING AND MITCHELL, CONCILIATION PROCESS FOR "LEAN ON" NOTE

949. Mr McGINTY to the Minister for Fair Trading:

I refer to the revelation by the minister last week that Ministry of Fair Trading investigator Stuart Dowling and ministerial adviser Bill Mitchell participated in a conciliation process to resolve their differences over the now infamous "lean on" note.

(1) Who initiated the conciliation process?

(2) Were both officers interviewed; and, if so, where, when and by whom?

(3) Were any minutes or records of those meetings made; and, if so, will the minister table them?

(4) Was the minister made aware of the outcome?

(5) If so, was the minister advised of the outcome in writing; and, if so, will he table that advice?

Mr SHAVE replied:

(1) The chief executive officer of the Minister for Fair Trading.

(2) Yes. They were both interviewed by the CEO of the Ministry of Fair Trading. They were interviewed separately and have not met on a joint basis to discuss the matter. Mr Mitchell was interviewed on 19 April. Mr Dowling was interviewed approximately two weeks after that date.

(3) The chief executive of the ministry has obtained legal advice from the Crown Solicitor to the effect that he should await the Gunning inquiry's consideration of this matter before considering any action. Subsequent to the Gunning inquiry's consideration, the chief executive will be required to consider whether any further action should be taken. All records relating to this matter will be relevant to such action, and I am advised that to table any papers may prejudice the rights of the public servants involved.

(4) Yes, as per the answer in (3).

(5) Not applicable.

GUNNING INQUIRY, MR DOWLING'S EVIDENCE

950. Mr McGINTY to the Minister for Fair Trading:

I ask a supplementary question. Was the Gunning inquiry ever made aware, prior to Mr Dowling giving his evidence, of attempts made to conciliate or to get him to change his story?

Mr SHAVE replied:

My understanding is that the Gunning inquiry was forwarded all of the files in relation to this matter. I am not aware of the officers involved having any prior discussion with the people from the Gunning inquiry. The fact of the matter is that the allegation that the two officers met to try to conspire on their evidence is totally false.

SCOTT, MR KIM, AUTHOR

951. Mr OSBORNE to the Minister for the Arts:

Most members would be aware that local author Kim Scott recently jointly won the Miles Franklin literary award for his book *Benang*. Can the Minister please advise the House what other Western Australian writers have achieved on a national and international level, and what programs and policies are in place to assist the development of Western Australian writers?

Mr BOARD replied:

I thank the member for Bunbury for the question. The whole House will join me in publicly congratulating Kim Scott for winning the Miles Franklin literary award for his book *Benang*. In the competitive world of writing and publishing, this is an outstanding achievement by this young Western Australian and adds to the complement of Western Australian writers who have achieved national and international significance and awards, such as Sally Morgan, Dorothy Hewitt and Tim Winton, to name just a few. In addition, the current Chair of the Literature Fund of the Australia Council is Western Australian writer Nicholas Hasluck. Per head of population, Western Australians are as highly published as are people in any part of the world. In the diversity of the Arts portfolio, we often overlook the writers and what they are achieving for Western Australia, not only in documenting its history but also in the literary world, in which they are making a significant contribution. Arts WA offers three creative development fellowships each year for $30 000, and Kim Scott was awarded one of these fellowships. These valuable fellowships have been provided by the Western Australian Government to support promising writers, and others, in the arts community. Some $500 000 a year goes into literature projects, such as the Fremantle Arts Centre Press, which published Kim Scott's book, and the Broome-based publisher Magabala Books. We also provide funding for a state literature officer, the Children's Book Council and the *Westerly* literature magazine. I mention this today because our writers are achieving significant national and international recognition, and I think this House will join me today in congratulating Kim Scott for an outstanding achievement, not only for himself but also in representing writers in Western Australia.

GUNNING INQUIRY, MR DOWLING'S EVIDENCE

952. Mr McGINTY to the Minister for Fair Trading:

This question follows from the question I just asked. Did the minister know about the proposed conciliation process before it occurred?

Mr SHAVE replied:

Mr Mitchell advised me that an allegation had been made about him about which he was deeply offended and that he was taking that matter up with the chief executive of the Ministry of Fair Trading. In technical terms, I was aware that a public servant had a grievance. It was his responsibility to advise me of that.

COUNSELLING SERVICE, FUNDING

953. Mr MASTERS to the Minister for Family and Children's Services:

(1) Can the minister summarise the Government's commitment to the funding of counselling services in the south west, especially in the electorate of Vasse?

(2) Can she explain how her department assesses the need for increased funding support in rapidly growing areas such as Busselton?

Mrs van de KLASHORST replied:

I thank the member for some notice of this question.

(1) Family and Children's Services and the Government have a very strong commitment to funding counselling services not only in the member's electorate but also throughout the State, and particularly in the south west. That commitment is demonstrated by the services already in place in the member's electorate. South West Counselling receives $204 062 per annum from the Government; Busselton Youth Service receives $35 723 per annum; and Anglicare-South Financial Counselling Service receives $31 708 per annum. In addition, services in Bunbury provide outreach support to the Busselton area and the member's electorate. Those services include the Waratah Support Centre's children's domestic violence counselling service and the Safecare child sexual abuse treatment service.

(2) The need for increased funding is assessed through Family and Children's Services. A planning process is undertaken at the local level, and the next scheduled process is due to be undertaken at the end of 2000. Family and Children's Services maintains close liaison with the funded services in the local area through reviews, monitoring of the demand and needs analysis.

MINISTER FOR FAIR TRADING, REMOVAL FROM OFFICE

954. Mr McGINTY to the Minister for Fair Trading:

I refer to the article in the *Sunday Times* this week which revealed that at least three of his colleagues believe the minister should be removed as Minister for Fair Trading, given his failure to deal properly with the finance broking scandal, and ask -

(1) Has the minister been approached by any colleagues suggesting that he stand down from Cabinet or relinquish his Fair Trading portfolio?

(2) If not, is the minister aware of any backbench concerns about his performance and the damage he is inflicting on the Government?

Mr SHAVE replied:

(1)-(2) A journalist from the *Sunday Times* rang me to ask about a poll it was conducting. Of course, some of my colleagues had been kind enough to ring me prior to that. The newspaper carried a cartoon depicting me with a target on my head, which was slightly off. That is a reflection of the standard of journalism practised in this State.

It is interesting that the journalist tried to contact all members of the coalition and received responses from only 19. While most of the 19 conceded they were concerned about the finance broking issue, only three said they believed that I should stand aside to let another minister take control of the portfolio. I can understand that. I indicated to the *Sunday Times* journalist that I did not think that was an overwhelming call from my colleagues to resign. Only three members out of 57 supporting my resignation is hardly a significant proportion.

Dr Gallop: Once a numbers man, always a numbers man.

Mr SHAVE: Yes. I took particular care to respond and hoped that my side of the story would be printed, but it was not.