

PLANNING COMMISSION, LEGAL CASES

**293. Mr McGINTY to the Minister for Planning:**

I refer to page 15 of the 1999-2000 government financial results report which states that the Western Australian Planning Commission has set aside \$36m for a number of legal cases.

- (1) How much of this money has been allocated to the funding of legal actions and how much has been set aside for compensation, damages or fines?
- (2) Are the legal cases involving the Planning Commission likely to require more than the \$36m carried over from 2000-01?
- (3) In how many legal cases was the minister involved in 1999-2000 and 2000-01?
- (4) Can the minister table a list of those cases?

**Mr KIERATH replied:**

I thank the member for some notice of this question.

- (1) Nil, for legal costs; 100 per cent for compensation; nil for damages; nil for fines. We are really talking only about compensation.
- (2) No.
- (3) Nil. The Western Australian Planning Commission is responsible for defending all appeals and claims, not the minister. Again, this shows a lack of understanding by the Australian Labor Party of our planning legislation.
- (4) Not applicable.

It is probably pertinent that I point out that, pursuant to the advice provided by the Crown Solicitor to the commission and also the Auditor General on the status support cases and appeals, we must show those that were not finalised at 30 June, 2000. The \$36m represents the worst case results and will most likely be resolved well below that cost. As an example, the Crown Solicitor identified the Mt Lawley case to be in the range of \$2m to \$20m.

In light of the worst case scenario, we have put in \$20m of the \$36m for one case only.