

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

Division 22: Local Government and Regional Development, \$41 521 000 -

Mr Andrews, Chairman.

Ms MacTiernan, Minister for Planning and Infrastructure, representing the Minister for Local Government and Regional Development.

Ms C.M. Gwilliam, Director General.

Mr L. Nagy, Principal Finance Officer.

Mr I.T. Cowie, Acting Director, Strategies and Legislation.

Mr Q.N. Harrington, Acting Director, Governance and Statutory Support.

Mr OMODEI: I refer the minister to the grand total of purchase outputs on page 378 of the *Budget Statements*. The 2002-03 budget estimate is \$41 521 000. The 2001-02 estimated actual is \$33 699 000. I presume that the reason for the increase above \$33 million is the \$9.5 million that has been reinstated for regional investment under the grants funding. Is that correct?

Ms MacTIERNAN: That is correct.

Mr OMODEI: If we add \$9.5 million to \$33.699 million we arrive at an actual figure of \$43.199 million for 2002-03. Therefore, it would seem that the 2002-03 budget has been reduced by about \$1.678 million. Where has the cut taken place?

Ms GWILLIAM: The change has taken place as a result of two principal factors. Firstly, the responsibility for the community security grant program in the next financial year has been transferred to the Department of the Premier and Cabinet. Secondly, the community facilities grants program ceased in 2000-01, but in the 2001-02 budget an additional \$500 000 per year has been allocated. It was previously running at \$1 million, so it is minus \$500 000 in terms of previous levels of expenditure.

Mr OMODEI: I refer the minister to the table under appropriation and forward estimates on page 378 of the *Budget Statements*. The total appropriations under the purchase of outputs for 2002-03 is \$38 721 000, which is an increase from last year's estimated actual of \$30 814 000. It then goes down to \$34 302 000, \$29 241 000 and \$14 535 000. What plans does the Government have for local government and regional development if the budget in 2005-06 will be only \$14.785 million?

[7.40 pm]

Ms MacTIERNAN: This is principally because of the regional investment fund, which is a four-year program of \$75 million over four years. Obviously by the out years that program would have been expended. We are now in the process of considering what other programs we may wish to develop within those out years.

Mr OMODEI: If we add the \$19 million to the \$14.785 million, it still comes up to only \$33 million.

Ms MacTIERNAN: That is more than the estimated actual for this financial year.

Mr OMODEI: In four years time?

Ms GWILLIAM: The variability in the agency's budget reflects the different cash flows of the \$75 million over four years. In 2004-05, only \$15 million of RIF money is allocated. The challenge will be to see whether RIF is successful, and then in the light of next year's budget process whether additional funding for the department will be provided in the out years. To be fair, we are only in year one of RIF. Next year is year two. If the results are there, we will be making a submission to get additional funding in the out years of 2005-06 onwards.

Mr TRENORDEN: I would like to pursue the same dot point at page 378. The *2001-02 Government Mid-year Financial Projections Statement* states at page 67 that a reduction of \$3 million has been taken out of the regional investment fund. Therefore, in fact the regional investment fund is not \$75 million but is \$73 million. Either the budget is wrong at \$75 million or the mid year financial projections statement is wrong. They cannot both be right.

Ms MacTIERNAN: The language used in that report is inaccurate.

Mr TRENORDEN: Then it should be corrected.

Ms MacTIERNAN: The minister, Hon Tom Stephens, has corrected it in the past. There was, as the member knows, a \$3 million allocation made from the RIF for the promotion of regional tourism following the 11 September disaster.

Mr TRENORDEN: Which was spent in the city, but we will not worry about that.

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

Ms MacTIERNAN: That was very much sought after by regional tourism operators.

Mr TRENORDEN: It is a pity you did not spend it there.

Ms MacTIERNAN: The member may be aware that the tourists in regional areas are mainly people from the city.

Mr TRENORDEN: But it was spent on bringing people from the country to the city.

Ms MacTIERNAN: To have a tourism campaign in the city that is based on encouraging people to go into the regions is the logical and sensible thing to do.

Mr TRENORDEN: It is a pity you did the opposite.

Mr HYDE: Tourism operators in Denmark, Albany and all over the place were able to put in their ads to get people to go to their area, and they had a bumper season last year because of that. It worked. Well done, minister.

The CHAIRMAN: Members, we are addressing the budget.

Mr TRENORDEN: The point is that both statements cannot be right.

Ms MacTIERNAN: We have acknowledged that the use of the word "reduction" -

Mr TRENORDEN: Where is the acknowledgment in this budget that it should be \$72 million?

Mr HYDE: It is \$75 million.

Mr TRENORDEN: This mid year statement clearly says it is \$72 million.

Mr HYDE: That is wrong.

Mr TRENORDEN: Where is the correction?

Ms MacTIERNAN: Hon Tom Stephens, after the mid year economic review came out, corrected that, and the money was reinstated.

Mr TRENORDEN: Show me in the budget papers where I can find that.

Ms MacTIERNAN: The budget papers show the full \$75 million.

Mr TRENORDEN: That is incorrect. Unless the minister can show me in the budget papers where the \$3 million comes back in, that figure is incorrect.

Ms MacTIERNAN: I take the member to page 379, which states -

Reinstatement of grant funding for Regional Investments . . .

Mr OMODEI: That is \$9.5 million. We have already referred to that.

Mr TRENORDEN: That is not the figure.

Ms MacTIERNAN: Okay, but if we then look at page 393 -

Mr TRENORDEN: Page 397 does not refer to the \$3 million.

Ms MacTIERNAN: That is the full allocation of funds -

Mr TRENORDEN: It does not refer to the \$3 million.

Ms MacTIERNAN: May we have a bit of structure here, Mr Chairman?

The CHAIRMAN: Certainly, minister. Perhaps if the minister finishes the answer, the member can take it from there.

Ms MacTIERNAN: I direct the member's attention to page 393, which on the first line has the allocations for the RIF budget. We have \$15.9 million, \$24.1 million, \$20 million and \$15 million. I am assured by Dr John Phillimore that this adds up to \$75 million.

Mr TRENORDEN: The first figure of \$15.9 million is an estimated actual for last year. The money was taken out after that event.

Ms MacTIERNAN: No. The estimated actuals were completed before the mid year economic review. They were done in the early part of this year.

Mr TRENORDEN: I want to find out when the \$3 million was taken out. What was the date?

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

Ms MacTIERNAN: The \$3 million was not taken out. There was an error in the mid year economic review papers - an error that was acknowledged and corrected by the minister, Hon Tom Stephens, the following day. That \$3 million -

Mr TRENORDEN: Was never taken out?

Ms MacTIERNAN: That \$3 million was not taken out of the RIF budget. It will be used. It has been allocated for those regional tourism purposes, and in the fullness of time -

Mr TRENORDEN: If it is allocated, how can it still be in the RIF budget? It is either allocated for another purpose and not part of this fund, or it is in this fund. It cannot be both.

[7.50 pm]

Ms MacTIERNAN: It is included in that \$15.9 million, which is estimated actual expenditure.

Mr TRENORDEN: The minister told me moments ago that it will go out of the fund.

Ms MacTIERNAN: Of the \$15.9 million, \$3 million has been allocated to the tourism fund.

Mr TRENORDEN: That is what I said 10 minutes ago. Therefore, the fund has \$72 million.

Ms MacTIERNAN: No.

Mr TRENORDEN: The money cannot be spent in two places. It is either in the fund or out of the fund. It cannot be in two places.

Ms MacTIERNAN: It is being spent from the fund. We have this money to spend on the regions. We made a decision to spend money promoting the tourism industry during a crisis.

Mr TRENORDEN: Was that \$3 million allocated according to the specifications of the fund? The answer is no, but the director general can tell me anyway.

Ms MacTIERNAN: I am not -

Mr TRENORDEN: Exactly.

Ms MacTIERNAN: It is not "exactly". Mr Chairman, I am -

The CHAIRMAN: The member asked the question. The minister will give an answer. Members should allow the minister to give the answer, and vice versa.

Ms MacTIERNAN: We will fund three classes of items. I will ask the director general to outline those.

Ms GWILLLIAM: The RIF budget provides money in three areas: first, for those election commitments of the Government that have been determined as benefiting regional areas; second, for cabinet decisions about activities that are seen to benefit regional areas; and third, for the open and contestable application grants program.

Mr TRENORDEN: Does the department have a legal opinion about whether that is lawful?

Ms GWILLLIAM: The scheme is operating with legal advice from the Crown Solicitor's Office.

Mr TRENORDEN: It is a farce.

Ms GWILLLIAM: The member made a comment about how we provide the grants. This is a grants program. We provide grants to agencies as well as other organisations. The fund is \$75 million, and we make grant contributions from that fund. The Department of Local Government and Regional Development has made a \$3 million grant through RIF to the Western Australian Tourism Commission. That is shown as an inflow; revenue to that agency. Similarly, RIF makes payments to the regional development commissions, which each administer roughly \$400 000 for the regional development scheme. The department provides grants to agencies. The money comes from RIF. The department is not responsible for the spending of the money. It is responsible for the approval and allocation of the grants.

Mr TRENORDEN: It means that the name "regional infrastructure fund" is a misnomer.

Ms MacTIERNAN: We disagree. An exceptional circumstance arose in Western Australia.

Mr TRENORDEN: The Government ripped money out of country funding.

Ms MacTIERNAN: We needed to respond to that situation by providing important intellectual infrastructure to those regions. We have received a great deal of positive comment from the local tourism industry about that decision. We need to make something clear. There has been a little slippage in the terminology. It is a regional

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

investment fund. Investing in the tourism industry to encourage people to use the regional tourism industry was very important. We faced a crisis that, without our intervention, would have resulted in the collapse of many regional businesses.

Mr OMODEI: How many times has the Government counted this money? It has counted it in tourism, local government and regional development.

The CHAIRMAN: I will move on to the next question.

Mr OMODEI: I refer to page 393 and the line item of grant funding for regional investments, specifically the 2001-02 estimated actual. The minister can provide the answer by way of supplementary information. Can she detail how the \$15.9 million was spent?

Ms MacTIERNAN: We will provide by way supplementary information the breakdown of the \$15.9 million estimated actual expenditure from the regional investment fund in this financial year.

[Supplementary Information No A42]

Mr TRENORDEN: This follows on from the member for Warren-Blackwood's question. Can the minister state how many projects have been funded from the regional investment fund, the title of those projects, the description of those projects, and the amount allocated to each of those projects? Could she then break that expenditure down into the regional infrastructure fund program, the regional development scheme program and the Western Australian regional initiatives scheme? It is the same question as that asked by the member for Warren-Blackwood.

Ms MacTIERNAN: It is a more extensive version of the question. We are happy to provide that by way of supplementary information. I will provide a breakdown on a region-by-region basis of the projects, including the titles of the projects and the amount of funds allocated to those projects, for the regional infrastructure fund program, the regional development scheme and the Western Australian regional initiatives scheme.

[Supplementary Information No A43]

Ms MacTIERNAN: Methinks there is a bit of agitation on the opposition benches because of all the good things we are doing for the regions.

Mr EDWARDS: I refer to dot point eight under major achievements on page 381, which states -

Co-ordinated the development of a framework for a partnership agreement between State and Local Government.

Could the minister enlarge on that, and explain some of the specific issues that will be part of the partnership agreement?

Ms MacTIERNAN: I will ask the director general to answer that.

Ms GWILLIAM: A working group is dealing with the partnership issues between local government and the State. That group comprises representatives from the Western Australian Local Government Association, Local Government Managers Australia, the Department of the Premier and Cabinet, Treasury and the Department of Local Government and Regional Development. The group has met at least four or five times. It has arrived at an agreed partnership approach; that is, the principles of the partnership and how the organisations will work together. It has also arrived at a suggested pro forma template under which agencies should operate. We have circulated that widely to CEOs in the government sector, and have received an extremely favourable response. We are piloting this framework in a number of areas, including state crime prevention, natural resource management and regional area infrastructure planning. Once we have progressed the pilots a bit more, the draft agreement and the pro forma will be subject to cabinet decision to make them mandatory.

[8.00 pm]

Mr EDWARDS: Have any financial agreements been put into place within that framework?

Ms GWILLIAM: There are no such agreements in the pilots we are working on at the moment, but the intent is that there will be. One of the issues to be agreed is responsibilities, and the sharing of funding. Local government authorities are mindful of not having cost shifting, so we are working with them to clarify their responsibilities and financial obligations. The intent is there, but I do not have an example.

Mr TRENORDEN: I refer to page 393, under the heading "Details of Controlled Grants and Subsidies". I do not want to talk about the \$15.9 million. This table states that only \$15.9 million of the \$25 million allocated for this year was spent. Can the minister verify whether \$3.5 million of that was spent on the south west online

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

project, \$2.7 million was spent on an interpretive centre at Shark Bay, and \$500 000 was spent on the fishing platform at Point Samson?

Ms MacTIERNAN: I am a little puzzled by this question, because I have just been asked to provide, by way of supplementary information, all the figures in relation to that \$15.9 million. We are now revisiting that issue, and we are being asked to provide information that was previously asked for as supplementary information. I am not sure where we are going here.

Mr TRENORDEN: If the minister answers the question, she will find out.

The CHAIRMAN: Will the minister provide that information by way of supplementary information?

Ms MacTIERNAN: I have already made that commitment on two occasions.

Mr TRENORDEN: The minister cannot supply the information, because she has only one quarter of the question. This is not the House, this is estimates. Members are meant to ask questions and are meant to get answers. This is not question time, in which the minister can decide not to give answers. The direction I am taking will be evident in a moment. The information is obviously there, so I do not see why I cannot have it.

Ms MacTIERNAN: Will the member for Avon tell us what the question is?

Mr TRENORDEN: There are about six points to it. Firstly, was \$3.5 million spent on the south west online project?

Ms MacTIERNAN: No.

Mr TRENORDEN: That is fair enough, and the minister can see how this is slightly different. Was \$2.7 million spent on the interpretive centre at Shark Bay?

Ms MacTIERNAN: It has been allocated. These are sums that have been allocated.

Mr TRENORDEN: Has the \$3.5 million been allocated as well?

Ms MacTIERNAN: The member is asking which sums are being allocated.

Mr TRENORDEN: Now the minister is changing the question. I asked whether this money had been spent.

Ms MacTIERNAN: We cannot say it has been spent; we can only say it was allocated; that is, whether or not the funds have gone out.

Mr TRENORDEN: I am quite happy to change the language; that is not a worry. Has the \$3.5 million been allocated?

Ms MacTIERNAN: No.

Mr TRENORDEN: That is an election commitment. Has it gone to the forward estimates, or will it not be honoured?

Ms MacTIERNAN: It will be funded, but it is not all allocated in this year.

Mr TRENORDEN: Is it in the forward projections?

Ms MacTIERNAN: Yes.

Mr TRENORDEN: Okay; that is simple and fair enough. That would have been different from the answer you were to give me in writing. The \$2.7 million has been allocated. What about the \$500 000 for the Point Samson fishing platform?

Ms MacTIERNAN: No, that is not for this year.

Mr TRENORDEN: Will the minister just run through and see whether I am correct? This is where we had some disagreement before. Was \$12.5 million taken out for the premium property tax and \$9.5 million put back in?

Ms MacTIERNAN: No. There has been a deferral of \$9.5 million into next year, as the member can see, under the \$24 million. Our undertaking has been to provide \$75 million over four years. It is in there in black and white. Those four figures there -

Mr OMODEI: Is the minister not aware that \$12.5 million was taken out originally, halfway through the year? She should know that, or her advisers should know.

Ms MacTIERNAN: No, \$9.5 million was taken out, and that money was deferred and placed in the year 2002-03, so we have \$24 million. It can be seen, it is very clear. There is no missing money.

Mr TRENORDEN: Tell me where it is so that it is clear to me.

Extract from *Hansard*
[ASSEMBLY - Thursday, 30 May 2002]
p355b-368a

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

Ms MacTIERNAN: The sum of \$15.9 million, \$24.1 million, \$20 million and \$15 million is \$75 million.

Mr TRENORDEN: That is not the issue. The issue is that we were clearly told that \$12.5 million was taken out of this fund during the course of the year.

Ms MacTIERNAN: We have explained that there was an error, which was recognised and corrected the next day.

Mr TRENORDEN: I never saw the correction.

Ms MacTIERNAN: The correction was by way of a media release, and Treasury agreed with it.

Mr TRENORDEN: It was corrected to the public but not to the Parliament.

Ms MacTIERNAN: It has been in the public arena. This occurred at a time when Parliament was not sitting. I do not think members would have wanted the Parliament recalled for that purpose.

Mr OMODEI: Can I have a copy of the media statement?

Ms MacTIERNAN: Yes, we will get the member a copy of the statement.

Mr TRENORDEN: I do not want a copy of the statement. I will ask for the minister to supply by way of supplementary information, the correction that was given to the Parliament on the expenditure of the \$12.5 million.

Ms MacTIERNAN: I am not sure that I ever said that a correction was given to the Parliament. I said a correction was given to the public, by way of a media release.

Mr TRENORDEN: Can the minister show me where in the newspapers I can follow this whole question of the \$12.5 million, the \$9.5 million and the current position?

Ms MacTIERNAN: The member can see from the forward estimates and this year's actuals, that that clearly adds up to \$75 million, which was the original figure in the forward estimates. The forward estimates of last year showed \$75 million and the forward estimates of this year show \$75 million. If the member compares the two, he will see that \$9.5 million has gone from 2001-02 to 2002-03. The member needs to look at the forward estimates that were produced last year and the forward estimates produced this year. Taken together they will make it very clear that \$9.5 million of expenditure was deferred from the current financial year and placed in the next financial year. I do not see what the mystery is.

Mr TRENORDEN: This House was told that \$12.5 million was taken out. That is what I know. The minister cannot show me anywhere -

[8.10 pm]

Ms MacTIERNAN: We have this year's and last year's budget papers before us. Both of these documents have been tabled in Parliament. We are now in the process of the Estimates Committee and we are clearly explaining to the member -

Mr TRENORDEN: It does not make any sense whatsoever.

Ms MacTIERNAN: I will go through it again.

Mr TRENORDEN: Show me where the \$12.5 million goes out.

Ms MacTIERNAN: I have told the member that \$12.5 million did not go out. I have already explained that that was an error in the midyear economic review papers. The Government acknowledged that the next day.

Mr TRENORDEN: Show me the correction.

Ms MacTIERNAN: We will show the member the correction. By way of supplementary information we will provide the member with a press release and the Treasury advice. The member should not behave like a bully; he is a better man than the Leader of the Opposition.

Mr TRENORDEN: It is laughable that the minister of all people in this place should talk about behaving like a bully.

Ms MacTIERNAN: The Leader of the National Party should not emulate the Leader of the Opposition.

The CHAIRMAN: The question has been asked and the answer has been given a number of times.

Mr HYDE: This Government has been open and accountable.

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

Mr TRENORDEN: I will make whatever point I want. When the member for Perth wins the seat of Avon, he can make my point, but for now, I will make my own.

The CHAIRMAN: The member for Avon has indicated he is not happy with the response, but we will move on.

Mr OMODEI: In light of the minister's comments that the forward estimates process has been made clear, I draw her attention to the output and appropriation summary on page 379 of the *Budget Statements*. I refer to output 1, the development of policy advice to Government; output 2, support for regional and local communities; and output 3, compliance, monitoring and advisory services. Why are there no forward estimates for the out years 2003-06 for those outputs? As a result of the antics of the Town of Vincent, surely the budget for compliance, monitoring and advisory services will blow out.

Ms MacTIERNAN: As a former minister, the member will no doubt know the answer to this question. He will know that this is standard Treasury -

Mr OMODEI: It is a very simple answer and the minister should not be smart about it.

The CHAIRMAN: Member for Warren-Blackwood, the minister is answering the question.

Ms MacTIERNAN: It is standard Treasury practice to provide only the budget information for the current year. Perhaps the director general could explain this to the member.

Ms GWILLIAM: We have provided the information in a standard approach as requested by Treasury. That is the information that was printed and was sought from us. The Office of Energy, for example, has the same approach.

Mr OMODEI: Can the director general assure me through the minister that the compliance, monitoring and advisory services and those other outputs will be maintained in the out years?

Ms GWILLIAM: These outputs reflect our core business. I do not envisage any change to the policy capacity building or compliance functions.

Mr OMODEI: I should think so. I refer the minister to the major policy decisions on page 379 of the *Budget Statements*. The \$250 000 recurrent expenditure for the community leadership program will be transferred to the Department of Agriculture. I understand that the minister is acting for another minister and it has been a long day; I appreciate that very much. Junior councils in local government promote leadership in local government around Western Australia, particularly in the metropolitan area. The emergency services, Police Force, Army, Navy and Air Force have cadetship programs that are available in metropolitan Perth. The only leadership program that was available in country Western Australia was under the Department of Agriculture to promote leadership in country towns. That was very successful in previous years and was ably promoted by the former Minister for Agriculture. I cannot understand for the life of me why we would put this money into local government and regional development when it was well run under the Department of Agriculture. Is this a duplication of what is already occurring? Will these funds be spent in rural Western Australia as they were previously?

Ms MacTIERNAN: I will ask the director general to respond.

Ms GWILLIAM: Responsibility for the community leadership program was transferred from the Department of Agriculture to the Department of Local Government and Regional Development. Our department will focus on regional Western Australia. The program is focused on community leadership development in regional Western Australia. We are working closely with the Department of Agriculture to maintain the program's excellence. The program will provide leadership support for more than rural areas; it will benefit regional Western Australia.

Mr OMODEI: I accept the director general's response. However, there is a vast difference between regional Western Australia and country Western Australia. Regional centres around rural Western Australia, for example, Albany, Bunbury, Kalgoorlie and Geraldton, are very well served with resources and facilities whereas country Western Australia tends to be the poor relation of those regional centres. Those country areas need this type of program more than the regional centres. Given the answer from the director general, it seems that the funds will be directed to regional centres. Will the minister confirm that the funds will be directed to those small towns and rural centres in Western Australia rather than the regional centres? They are the areas most in need and have benefited most under this program.

Ms GWILLIAM: The member is right. The program will be for regional Western Australia. It is not focused on regional centres but on all the people throughout regional Western Australia. It will focus on youth and indigenous people. Recently over 700 people attended the department's community leadership workshop at the University of Western Australia in partnership with the Institute for Regional Development. The workshop also involved participation via the department's telecentres and the Westlink television network connections. We are

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

working with small communities, sharing experiences and talking about the way they can develop community leadership.

Mr TRENORDEN: On page 384 of the *Budget Statements* under major initiatives, reference is made to providing support for major initiatives and events as part of the Year of the Outback. What is the budget allocation for those programs? The minister can supply it by way of supplementary information if she wants to.

Ms GWILLIAM: The department has provided two staff members to focus on the promotion of the Year of the Outback. In addition, the department has provided \$180 000 to spend on promotional activities for the Year of the Outback. That will include school projects, a focus on outback locations on postcards and additional opportunities within the ABC. The department will fund a range of activities. We can provide the member with the details by way of supplementary information.

Mr TRENORDEN: The information I want has been recorded in *Hansard*. Is the director general referring to two budgets?

[8.20 pm]

Ms GWILLIAM: I am talking about staff allocations and I have two staff on it.

Mr TRENORDEN: I am saying it is a calendar year event and the director general is talking about a financial year event. Can I make it clear. Are there two allocations for the full term of the year?

Ms GWILLIAM: Until February 2003.

Mr TRENORDEN: Is the allocation of \$180 000 for one budget or two?

Ms GWILLIAM: Over two years; the money is to be spent by February 2003.

Mr OMODEI: I refer the minister to the second dot point on page 379, which reads -

The establishment of a tribunal to deal with problems in local government will be progressed.

The minister is well aware of the tribunal being established under the Department for Planning and Infrastructure and the legalistic nature of that tribunal. I sound a warning that this kind of tribunal in local government could lead to a very legalistic situation. The minister should consider enforcing the code of conduct - and pass this message on to her colleague - under the Local Government Act and impose a penalty for a breach of the code of conduct rather than establish a tribunal. For instance, it would have been easy in the recent problem in the Town of Vincent for a minority of councillors to orchestrate a few letters of complaint from the public to the minister against another councillor. That councillor would have had to appoint legal counsel to represent him because he found himself in front of a tribunal. I sound a warning about the establishment of a tribunal and ask the minister to take that matter into account. I have expressed that same concern in my discussions with the Western Australian Local Government Association. It would be much simpler to strengthen the code of conduct and apply a penalty for a breach of that code.

Ms MacTIERNAN: I will ask the director general to respond more generally. However, we know that many councils have had problems. The City of Canning had some tremendous problems in the past.

Mr OMODEI: Not in recent times. It has been a model council.

Ms MacTIERNAN: In recent times the City of Melville had problems. I am sure the member for Warren-Blackwood, as the former Minister for Local Government, was well aware of many of the players there because they were politically aligned with the member's party. There was a great deal of friction between the Mayor of the City of Melville and other councillors and only recently has that in any way tempered.

Mr HYDE: What about the three restraining orders against the Town of East Fremantle after the previous Government sent somebody there to fix the problem? What did we have there last week?

Ms MacTIERNAN: That is true. The implication by the member for Warren-Blackwood in some of his questions is that somehow or other the Town of Vincent is an exception.

Mr OMODEI: No, I did not imply that. I used it as an example. We are not here to debate the Town of Vincent.

Ms MacTIERNAN: The member for Warren-Blackwood raised legitimate concerns about the possible abuse of process. However, he would notice that the establishment of the tribunal is being progressed. It will not be done without a great deal of dialogue and involvement with the WA Local Government Association and with local government more generally.

Mr OMODEI: It should perhaps say "will be examined" rather than "progressed".

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p355b-368a

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
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Ms MacTIERNAN: It depends on how the content of the word “progressed” is determined. Perhaps the director general can give us a little more detail of what is being considered.

The CHAIRMAN: I believe the member for Warren-Blackwood was asking whether his comments would be taken into consideration. What is the response from the minister?

Ms MacTIERNAN: The response is of course. However, I know that the member for Warren-Blackwood is interested to hear exactly how it is being progressed and I ask the director general to provide that information.

Ms GWILLIAM: We are at the early stages of examining the tribunal model. It is fair to say that we are examining all avenues of how to work with local governments to better address the problems they might experience. That is not to say that the code of conduct solution referred to by the member is not the way forward. We are considering putting in place a reference group with wide-ranging representation from not only WALGA but also other people with an interest in the matter. We intend to work through the current requirements of the Local Government Act and to consider whether there is a better way. We are not saying that there is a better way; we are saying that we must consider whether there is a better way of dealing with some of the complaint processes and some of the breakdowns in relationships between councillors, and consider how we handle complaints and authorised inquiries.

Ms MacTIERNAN: The member for Warren-Blackwood would recall when he was the minister the difficulty he had dealing with the City of Cockburn and its funding.

Mr OMODEI: No, I did not have a problem. I think the Labor Party had a problem.

Ms MacTIERNAN: There needs to be a lot more emphasis placed on prevention of problems within local government. A lot of work has been done within local government to get a higher standard of professionalism from elected members. There needs to be early identification of local authorities that are having problems and conflicts and an attempt to work through those problems and conflicts. However, we cannot expect that local government necessarily will be any different from any other tier of government or any other enterprise. There will always be conflicts of personality. There will be -

Mr OMODEI: Political interference.

Ms MacTIERNAN: - the mad, bad and the sad who from time to time gain membership to the club and will have an impact. However, I do find some of the subtext of the member’s comments extraordinary in that - here we go - the old idea is that the only politics is Labor politics and the blue bloods enter local government as their natural right. We could go through the members of Parliament here today -

The CHAIRMAN: I think the member’s question has been answered. The answer was that the member’s suggestion will be considered. I add from the Chair that it is a major issue in most local governments in WA and a better way needs to be found.

Mr TRENORDEN: We would all like to see some improvement in the quality of councils.

Mr JOHNSON: The minister must also recognise that there are at least four previous mayors of substantial councils on this side of the committee, so there is a lot of experience here. From the Opposition’s point of view - and I agree with the member for Ballajura and what my colleagues have said - a tribunal is not the way to go. The minister has a local government department that deals with problems that then filter up to the minister. The minister should not get involved in those problems until those other processes have taken place. I hope she agrees with that. Unfortunately, she did get involved in a secret meeting in Joondalup a few months ago. I think it was a most inappropriate action -

Ms MacTIERNAN: From the mob who gave us Wanneroo Inc, that is a bit of a cheek.

The CHAIRMAN: Members are having a very interesting conversation. I am sure they can discuss it over coffee many times before a final solution comes about.

Mr JOHNSON: Who is the mob who gave the minister Wanneroo Inc?

Ms MacTIERNAN: The member for Hillarys’ little purple circle.

Mr OMODEI: Is Keith Pearce still there?

Mr JOHNSON: Yes, he is still around.

Mr TRENORDEN: I refer to the fourth dot point under major initiatives for 2002-03 on page 384. That line refers to the provision of additional telecentres, mobile interactive telecommunications environments - MITEs - and telecentre access points - TAPs. I understand there is a MITE or two around. I want to know what is happening with additional telecentres. I have been looking through the *Budget Statements* but cannot find any

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

mention of capital works or recurrent funding for telecentres. Will the minister answer that question either verbally or by way of supplementary information?

Ms MacTIERNAN: We will provide it by way of supplementary information.

Mr TRENORDEN: I ask the same question for MITEs. I would be pleased to hear if there is a MITE in existence. Will the minister supply supplementary information on the numbers of MITEs in existence and what the planned program is for future MITEs? I support that program, as it is a good program.

Mr OMODEI: The question should be: how many MITEs and TAPs are in existence and which departments are involved in the establishment of those programs?

[8.30 pm]

Mr TRENORDEN: Also, what is the planned application of the mobile interactive telecommunications environments? It would give us an idea of what has been happening.

The CHAIRMAN: Can that be clarified for the record?

Ms MacTIERNAN: The member is seeking information on the number of MITEs and TAPS; the agencies through which they are being supported; and the future program for the outlay of MITEs and TAPS.

Mr TRENORDEN: I also asked about the capital allocation for telecentres and the recurrent allocation for telecentres.

[*Supplementary Information No A44*]

Mr OMODEI: I refer to the major achievements for 2001-02 listed at page 381 of the *Budget Statements*. The third dot point refers to the introduction of regulations to control certain breeds of dogs, and isolation fencing around pools. The first subparagraph states that restrictions will be placed for an initial period of 12 months on certain breeds of dogs considered to be dangerous. Is the minister aware that there are a number of derivatives of the breed referred to as American pit bull terriers, possibly as many as six or eight? Has the Department of Local Government and Regional Development been policing the containment of these breeds of dogs and the application of muzzles - something that was put in the regulations to control these breeds? Are local governments policing the regulations; and, if not, why not?

Mr COWIE: Local governments have been advised by the department on two occasions about the regulations, what they contain, and the responsibilities of local governments. We have obtained photographs of the four breeds identified as being restricted. They depict full body shapes and head shapes of the dogs. They have been provided to local government rangers so they are aware of the sorts of dogs they have to look out for. Local government authorities now have enough information on which to act. The department is unable to say how the local government authorities are enforcing the law.

Mr OMODEI: Of the four breeds, only one is found in Western Australia, and that is the American pit bull terrier. The regulation refers to derivatives of that breed. I am aware of at least six derivatives. The regulations are totally impractical for local government to police. It will place a huge burden on people in the community. I was at a local football match last week and I saw an American pit bull terrier without a leash. Other regulations that referred to the behaviour of dogs are far more practical and enforceable than that proposed by the Premier. It was a knee-jerk reaction to one incident. The Government has placed an inordinate burden on local government to police this. I did not know the public liability ramifications but, to me, it appears to be a nonsense and it needs to be addressed very quickly before someone sues the State Government or a local government.

Ms MacTIERNAN: We recognise that certain challenges are presented by the legislation, as identified by Mr Cowie. We are developing ways in which to help, through the production of sample photographs. Bear in mind that it is a 12-month trial. To some extent, it enables a local authority to deal with a problematic canine by taking action against it.

Mr OMODEI: It penalises responsible dog owners.

Ms MacTIERNAN: At the end of the 12 months we will look for feedback from dog owners and local government to see how it has worked.

Mr TRENORDEN: I refer to page 386 of the *Budget Statements* and reference to a review of the Metropolitan and Fremantle Cemeteries Boards as part of the machinery of government reforms. Can I have some detail of that review? Will it consider the practices and policies or will it examine only the structures of those organisations?

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

Ms GWILLIAM: The review will focus on the two boards and will examine their structure and extent of operations. There will not be as much emphasis on policy, but budgets and staffing will be examined. It will deal with the Government's fundamental question, which is whether all statutory authorities are needed. It will examine whether the statutory authorities should be combined or their functions undertaken by another department. It is a fairly wide-ranging review of the boards' purpose and structure.

Ms MacTIERNAN: It will not be whether there is a six feet under policy.

Mr TRENORDEN: I want to talk about the six feet under policy because a number of people have contacted me about it. They want to know whether it will be for only 25 years. Is that part of the review? Will it be left with the functions of the boards?

Ms GWILLIAM: In response to your questions no and yes.

Mr OMODEI: I refer to page 381 of the *Budget Statements* that lists as one of the major achievements for 2001-02 the introduction to the Parliament of the Animal Welfare Bill. When will the Labor Government give priority to the Animal Welfare Bill? We have heard arguments in this place about the Legislative Council holding up the legislative process. This Bill was passed through the Assembly under the previous Government and introduced again in this place. We all remember the petition containing 64 000 signatures presented by the member for Rockingham. It has been 18 months since the legislation was introduced into this place. It is now in the Legislative Council. It needs only the Government to put it at the top of the Notice Paper for it to be passed. Many people want to know when the Bill will be passed. Will it be given priority in the Legislative Council?

Ms MacTIERNAN: As the member knows, it has been given a priority in that it was one of the first Bills introduced in the Government's first year in office. The member's side of politics had eight years in government and was not able to progress the Bill beyond the Legislative Assembly. It is a bit rich to criticise the Government about its lack of performance, as it amended and processed the legislation through the Assembly in its first year. The most constructive thing the Opposition can do is to make a party decision that its members in the upper House will sit a little longer than three or four hours a day. When I was a member of the upper House we used to sit all night quite regularly. We used to process legislation at the same rate as the Assembly. There is a disgraceful backlog; it is in excess of 40 Bills. It is largely because we cannot get an extension of parliamentary sitting times. Each time a motion is moved to extend sitting times, there is a 10-hour debate about whether sitting times can be extended.

If the member were seriously concerned about this matter, he would have his party's members behaving in a manner that would bring some dignity and respect into the Legislative Council and see it sit and do its job. We are aware of these delays and are concerned about them. However, we have been able to provide recurrent funding to the Royal Society for the Prevention of Cruelty to Animals about which it has been very pleased. We have put funding amounting to \$250 000 a year.

[8.40 pm]

The CHAIRMAN: We have covered the range of views on the other place and we need to get back to the point.

Mr OMODEI: The Prevention of Cruelty to Animals Act was enacted in 1920 and the Labor Government was in power for 10 years before we came to power. We went through a process and duplicated it to make sure we had it right and finally the legislation came into Parliament. Will the Labor Party give it a priority in the Legislative Council? The minister should not talk about sitting hours and all that nonsense. If this matter was put on the top of the Notice Paper, it would be debated as soon as the Council returns.

Ms MacTIERNAN: I have already answered that question by pointing out the cant and hypocrisy. We consider it a very important Bill, as we consider it important to correct many of the problems that were generated in the last eight years of the previous Government. That legislation can go through the House and if the member is prepared to get his members in the upper House to sit for a decent number of hours -

The CHAIRMAN: Members, the question has been answered.

Mr TRENORDEN: I refer to page 393 of the *Budget Statements* and the details of the administered transactions expenses that lists the community resource centres and the regional collocation scheme, which is a good scheme. Is there a forward program of who will be funded in 2002-03 and 2003-04?

Ms GWILLIAM: There is no forward plan for who will get funding. We work with a variety of community groups at any one time. Often, it comes down to their ability to leverage other funds, particularly commonwealth funds, local government funds and our own funds, which determines which groups we support.

Mr TRENORDEN: I understand that but I was just wondering if there was a batting order; I see there is none.

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

Mr OMODEI: The fourth dot point on page 382 refers to the introduction of a third amendment Bill for the Local Government Act 1995. I recollect work being done on the amendments to the Local Government Act when I was the Minister for Local Government. It is now 18 months down the track. When is it intended to introduce a third amendment Bill for the Local Government Act? Yesterday the Minister for Local Government made comments that the current Local Government Act is inadequate. He might choose to read page 17 of the *Budget Statements* because it might enlighten him a little about that issue. However, the Act is of a nature where, like its predecessor, it will need to be amended to keep up with modern times and trends in local government. There will need to be a series of amendment Acts over the foreseeable future and it is probably now the time for a new amendment Act to be brought into Parliament. When is it envisaged that this Act will be introduced into this place?

Ms MacTIERNAN: Local government has made numerous suggestions about ways to amend the Act to enhance its effectiveness. Most of these suggestions have now been evaluated and final proposals for a third amendment Bill should be available shortly with the introduction to Parliament around 2003. If we can clear the backlog in the Legislative Council, we could get it dealt with by then.

Mr TRENORDEN: I refer to page 393, net appropriation determination, and the Westlink satellite communication service user charges and fees. In the forward estimates \$300 000 is gone from the program, which is substantial. What is the effect of that program? I am happy to take this as a supplementary information.

Ms MacTIERNAN: We will provide supplementary information on why the user charges and fees for the Westlink satellite communication service have decreased between 2000-01 and 2001-02.

[*Supplementary Information No A45*]

Mr OMODEI: On page 382, the sixth dot point refers to the drafting and introduction of a Bill to make substantial amendments to the Dog Act 1976 and update the Dog Regulations 1976. I understand that work has been done on this amendment Bill. When will this legislation be introduced into Parliament?

Ms MacTIERNAN: Public consultation on this matter will take place during July and August 2002. The minister is expecting to be advised of the review findings in November 2002. Subject to dealing with the backlog in the upper House, we aim to have the legislation introduced in 2003.

Mr OMODEI: When will the review of the Local Government Grants Commission methodology, with amendments being made as necessary, be completed? Is it available for scrutiny?

Ms MacTIERNAN: The Local Government Grants Commission has decided to undertake a review of the methodology used to recommend the disbursement of commonwealth financial assistance grants to local governments in Western Australian. The main aim of the review is to produce a methodology to form the basis of future recommendations to the state minister for the distribution of grants under the Local Government (Financial Assistance) Act. The commission intends this review to be a consultative process with interested parties. Regional seminars will be held in August and September 2002 to assist councils to understand the current methodology framework and to enable views on the methodology to be put to the commission. Seminar presentations and handouts will be made available on the commission's Internet site. The commission will publish a report on the outcomes of the review -

[8.50 pm]

Mr OMODEI: When will the report be published?

Ms MacTIERNAN: It will be published in either August or September 2002. The department will be very busy. After a sleepy eight years, the department has shifted into gear.

Mr OMODEI: The minister will find that the previous Government passed more legislation in the area of local government in its eight years -

Ms MacTIERNAN: I am sure it did. I well remember the legislation that carved up of the City of Perth. That is the previous Government's finest and proudest achievement.

Mr OMODEI: I am sorry I had to dissolve the minister.

Ms MacTIERNAN: The decision has allowed me to spend more time in Parliament.

Mr OMODEI: Maybe I should have left the minister there!

The ninth dot point on page 382 of the *Budget Statements* refers to amending the Local Government (Miscellaneous Provision) Act 1960 to introduce a new framework for building surveyor qualifications and

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

provisions to enable local governments to deal with illegal building structures. I also refer the minister to the tenth dot point, which relates to the finalisation of policy positions for a new building Act and a continuation of the drafting process. I acknowledge that a new building Act has been a long time coming. When will these two initiatives be completed? When will the new building Act be introduced into Parliament?

Ms MacTIERNAN: On 29 April 2002, Cabinet gave its approval to draft the amendments to the Local Government (Miscellaneous Provisions) Act. Drafting of the new building Act has commenced; however, a number of policy positions must be finalised, and drafting will occur in accordance with the policy determinations.

Mr OMODEI: When will the Bill be introduced into Parliament?

Ms MacTIERNAN: It will not be this year.

Mr OMODEI: That is another never-never Bill that has gone into the too hard basket. I refer the minister to page 383 of the *Budget Statements*. The number of full-time equivalents will increase in 2002-03 from 45 to 48. Will such people police the Animal Welfare Bill 2001 - that is, if it ever gets through Parliament?

Ms MacTIERNAN: The additional FTEs are required for the administration of the regional investment fund.

Mr OMODEI: Are there any provisions for full-time equivalents to police the Animal Welfare Bill?

Ms MacTIERNAN: Once the Bill passes through Parliament, the Government will sensibly consider the matter.

Mr OMODEI: In recent times, budget papers have provided for full-time equivalents on the condition that the legislation would pass through the Parliament. If the Government gives the Bill number one priority because the community has been asking for such legislation for a long time, and if it is passed by the Legislative Council next week, where will the Government find the extra funds for the three or four FTEs?

Ms MacTIERNAN: In the desirable but highly unlikely event that the legislation is passed - given the prodigious refusal on the part of the member's party not to sit - and passed in a form that is capable of being implemented, application will be made for supplementary funding. There is always the capacity to do this, particularly when a Government is operating on such a healthy surplus, as is this Government.

Mr TRENORDEN: I refer the minister to the second dot point under significant issue and trends on page 378 of the *Budget Statements*. It states that the building of whole-of-government approaches to regional development will be critical in assisting regional communities to meet their economic, social and environmental aspirations. A range of people have been sent to welfare housing in the wheatbelt even though such places do not have a social support network. I received a telephone call about a mother in Wyalkatchem who has a drug addiction. She also has a child who severely damaged school property. There are no resources in Wyalkatchem to deal with such issues. I raised this issue with Homeswest just before Christmas. I am told that the Government has a mechanism to prevent people from being sent to welfare housing in regional areas where a support network does not exist. However, it happened this week. I can provide the minister with a dozen cases in which people who obviously require welfare and social support are placed in country communities where such support does not exist.

Ms MacTIERNAN: This is clearly a housing policy issue. Although I appreciate and understand the genuineness of the concern of the member for Avon, the officers present do not have any expertise in this area. This matter relates to housing policy. The minister responsible, Hon Tom Stephens, is concerned about this matter and about the need to provide a more holistic approach -

Mr TRENORDEN: I am not picking on the minister -

Ms MacTIERNAN: I know that. This is a serious problem. However, I am at a bit of a disadvantage because this matter does not fall within the expertise of the advisers who are currently in the committee. I am sure that Hon Tom Stephens will be more than happy to engage in discussions about this matter with the member for Avon. I regularly see people placed in Armadale, and sometimes when certain families are placed near certain other families, the dynamic changes, and what is usually a containable problem becomes an uncontainable problem. The minister is concerned about this issue, and it is an issue that falls under the housing portfolio.

Mr TRENORDEN: I agree, in part, that this issue falls under the Department of Housing and Works, because it has a responsibility to provide people in crisis situations with housing. There is a desire on the part of the development commissions to do the right thing. I am not having a go at the minister. However, pressure must be applied to departments other than housing. Regional development is the correct place to seek answers - not to deliver the solution - and it is reasonable for the development commissions to seek a more holistic government response. I do not blame regional development for placing such people in these areas; however, departments other than housing must be involved in the process.

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

[9.00 pm]

Ms MacTIERNAN: I have already answered that question.

Mr OMODEI: On page 386, the first dot point under major initiatives for 2002-03 states "Review the provisions of the Local Government Act 1995 relating to inquiries into local government." Have the councillors of the City of South Perth responded to their suspension by the minister; and, if so, when is it intended to make that public?

Ms MacTIERNAN: They have, and the minister is considering the responses.

Mr OMODEI: When will the minister be making an announcement about their reinstatement or dismissal?

Ms MacTIERNAN: The minister will be making an announcement once he has made his decision.

Mr OMODEI: That is pretty obvious. Is that the best the minister can do? If the minister has the responses, surely he will know how long it will take to analyse them.

Ms MacTIERNAN: It depends entirely on the nature of the responses. The minister will do it as promptly as he can.

Mr OMODEI: I accept that. I refer to page 386, and the third dot point under major achievements for 2001-02, which states "Completed a major review of the functioning and effectiveness of the private swimming pool inspection process." Is that report available?

Ms MacTIERNAN: It has been tabled by Minister Kucera in the Legislative Assembly. It must have been at a time when the member was expelled.

Mr OMODEI: I really needed reminding of that! I refer to page 387, and the last dot point under major initiatives for 2002-03, which refers to a review of the Caravan Park and Camping Grounds Act 1995. What is the status of that review?

Ms MacTIERNAN: The terms of reference are being drafted, and the review group is being assembled.

Mr OMODEI: I refer to page 387, completed works, and the community facilities grants program. What has happened to the \$4 million over four years that was provided for that program under the previous Government? Obviously last year only \$4 000 was spent. What is the status of that fund? That fund was certainly very successful in that it was matched by more than two to one by local governments around Western Australia and it changed the face of community facilities for disabled people and people who were camping or driving through country towns. It is a great shame that that fund appears to have been removed. Has it been removed, or has that money been shifted to another program? I thought the fund had been reduced by about half last year, but there does not appear to be any money there this year.

Dr PHILLIMORE: My understanding is that the program as represented there is the completion of the old program. That is why it is now running down to zero. The new program is \$500 000 per annum for four years.

Ms MacTIERNAN: The section the member is looking at is completed works, and the works have been completed.

Mr OMODEI: So the Government has replaced a \$4 million program with a \$500 000 program.

Ms MacTIERNAN: No. It was a \$4 million program all up. We have decided to continue that program, and it appears on page 393. The member needs to understand that the money that his Government had placed in the forward estimates had finished. Clearly under the member's Government it was to be a finite program. We in our wisdom have decided to go further than the previous Government and not only preserve the level of funding that the previous Government had put in place but add to it.

Mr OMODEI: Where is it?

Ms MacTIERNAN: Page 393, under financial support to local governments. The \$500 000 of that money is for the continuation of the community facilities grants program.

Mr OMODEI: So it is half as much as it was before. That is a sham.

Ms MacTIERNAN: That is not true, because what was there previously had been used, and for 2002-03 there was to be no money.

Mr OMODEI: It was always intended that that would be replaced on an annual basis.

Ms MacTIERNAN: Then why did the former Government not put it in the forward estimates?

Mr OMODEI: We never did. When the four years were finished, we were going to replace it with another four years.

Mr Paul Omodei; Ms Alannah MacTiernan; Mr Max Trenorden; Mr John Hyde; Chairman; Mr Jeremy Edwards;
Mr Rob Johnson; Mr Bernie Masters

Ms MacTIERNAN: You were going to do it! Very good!

Mr OMODEI: The Government has cut our program in half. Again it has penalised country people.

The CHAIRMAN: Order! The cross-Chamber conversation will cease.

Ms MacTIERNAN: I want to make it clear that before the last election we promised \$2 million over four years, and that is precisely what we are delivering. I would like the member for Warren-Blackwood to note that. We promised \$2 million over four years, and that is what we have done.

Mr OMODEI: It is not good enough.

Mr MASTERS: Is it appropriate that I ask a question about the Metropolitan Cemeteries Board, which is also in this division?

Ms MacTIERNAN: This will be rather difficult. These matters have already been canvassed. We have had questions on the Metropolitan Cemeteries Board.

Mr MASTERS: I have just one question about Pinnaroo cemetery.

The CHAIRMAN: Unfortunately that was covered in a previous division, which means I cannot allow it in this division.

Mr MASTERS: It is in this division. It is at page 396.

The CHAIRMAN: I stand corrected if there is another reference.

Mr MASTERS: The first line on that page states that the Metropolitan Cemeteries Board administers -

Ms MacTIERNAN: I think the member is talking about an off-budget item. Off-budget items are not included in this division.

Mr MASTERS: It is included.

The CHAIRMAN: There is an appropriation under works in progress. Is that what the member is referring to?

Mr MASTERS: I am referring to the first line under capital works program, which mentions that Pinnaroo is one of the cemeteries that is administered by the Metropolitan Cemeteries Board.

Ms MacTIERNAN: It is not part of this division. It is a separate area, because there is no consolidated fund allocation.

Mr TRENORDEN: Then where do the moneys come from?

Ms MacTIERNAN: It is internally funded from the sale of plots.

Mr TRENORDEN: I would prefer that to come from the Chair rather than from the minister.

[9.10 pm]

The CHAIRMAN: The minister may be correct. If it is a question about the board, that may be one of the bodies that does not have an appropriation per se. It would be different if the question were about a line item for works in progress. I will seek clarification.

Mr MASTERS: Page 397 shows that there is no capital contribution from the consolidated fund. I suspect the minister is correct.

The CHAIRMAN: The minister is correct.

The appropriation was recommended.