

Legislative Assembly

Tuesday, 28 April 1992

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

STATEMENT - BY THE SPEAKER

Sexual Harassment Allegations

THE SPEAKER : I have been made aware that at a Press conference attended by the Premier yesterday, a reporter, referring to the allegations of sexual harassment by a member of this Parliament, raised my name. I am shocked and disappointed and deny absolutely the allegations. Now that my name has been linked to the allegations, it is the responsibility of those making the allegations to substantiate them immediately. The person or persons should go immediately to the Commissioner for Equal Opportunity, June Williams, or make it clear that the allegations are without foundation. At 10.45 this morning I wrote to Commissioner Williams assuring her of my fullest cooperation in any inquiry she conducts, and I forwarded with that letter a copy of this statement. I have also spoken this morning with the commissioner about this statement.

If those making the allegations are not prepared to substantiate them I have no way of clearing my name. I remind members who may wish to make political capital of my position that any members of this House could find themselves in the same position as I - powerless to restore my reputation in the face of anonymous allegations which people refuse to substantiate. I will not be making any further comment on this matter pending the outcome of any inquiry the Commissioner for Equal Opportunity makes as a result of any complaint lodged.

STANDING ORDERS SUSPENSION

Member for Ashburton - Maiden Speech

On motion without notice by Mr Pearce (Leader of the House), resolved with an absolute majority -

That so much of the Standing Orders be suspended as is necessary to enable the member for Ashburton to address the House for 30 minutes.

RIEBELING, FREDRICK - MAIDEN SPEECH

MR RIEBELING (Ashburton) [2.11 pm]: I rise today to make my maiden speech with mixed feelings of pride, sadness, indebtedness and anticipation. I feel proud that the people of Ashburton have chosen me in a hard-fought by-election campaign to represent them. I express my appreciation to them for their support and trust in me.

The sadness I feel derives from the passing of Pam Buchanan, my predecessor as the member for Ashburton. With Pam's death a chapter of Pilbara history closes. I have read the tributes to her from both sides of the House. Pam served the people of the Pilbara with integrity and dedication. If I can emulate her performance in representing Ashburton I will have achieved much. As Roebourne Shire President I shared Pam's commitment to the people of Roebourne to build a swimming pool in the town in which she and her family lived for many years. I wish to state here that I will ensure our vision is realised. After consultation with George Buchanan, and with his permission, I will move to name the new Roebourne swimming pool after Mrs Buchanan in acknowledgment of her commitment to the people of Roebourne and the progress of the town. I regret that Pam did not live to see the project under way.

The indebtedness I feel is, of course, to the many local people who helped me with my election campaign. Their support was overwhelming and inspirational. Firstly, I want to acknowledge my family, especially my wife Colleen, who supported and encouraged me from the time I decided to seek preselection and throughout the campaign. I also thank my three sons, Brendan, Shane and Paul, for their understanding during the difficult months leading up to the by-election. Knowing I can count on my family's support as I face the challenge of my new career is a great help to me.

Secondly, I could not have achieved a decisive victory in Ashburton without the support of all sectors of the Labor Movement. Bruce Wilson, Glen Ivory, Mick Dayes and Henry Rozmmanic of the Australian Workers Union, Wally Pritchard, Tony Papaconstuntinos and Erol May of the Seamen's Union of Australia, and Martin Pritchard and Mark Bishop of the Shop Distributive and Allied Employees Union were all of invaluable assistance throughout the campaign. My local Australian Labor Party branch president, Jon Ford, showed true leadership and dedication to winning the seat for Labor, and his wife Taryn gave magnificent support. Other members of the local community whom I would like to acknowledge particularly, and not all of them are Labor Party members, include Kevin Richards, Patrick Bourke, Cathie Wyllie, Wendy Whitchurch, Gina Pritchard and Noel Nielsen. In Pannawonica Steve and Clare Kelly always provided a weary candidate with refreshment and were excellent hosts to the Premier and her guests at their tavern, while in Onslow Mike and Jessy Callaghan's help was indispensable.

I thank all the Australian Labor Party members of Parliament, both Federal and State, who assisted in many ways. My thanks must especially go to the Australian Labor Party members of Parliament with whom I share the privilege of representing the Ashburton area. Their support was magnificent, especially the efforts of Hon Tom Stephens and Hon Mark Nevill. Also, if my support in Ashburton ever reaches the level enjoyed by my colleague, the Federal member for Kalgoorlie, Graeme Campbell, I will be very happy. I followed his campaigning precepts and we doorknocked Pannawonica in suits and ties when it was 48 degrees in the shade. I am pleased to be able to inform the House that he took off his coat before I took off mine. As well, I particularly thank Jerry Maher of Maher Durack Media for his assistance in getting my message across through the media. I know his skills and competence are recognised on both sides of this House and I am indebted to him for his contribution on this occasion. I will have more to say about the media later. Finally, the direction and back up given to me by Chris Evans, the State Secretary of the Australian Labor Party, Lois Anderson, the Assistant State Secretary, and my campaign director once more demonstrated the professionalism and unity of the Labor Party at a time when the so-called experts were writing us off.

In contrast to the support I enjoyed and the party unity from local to national level shown in Ashburton, I would like to make a few comments on the Opposition's efforts. I think it is important that the electors of Western Australia and those members of the media who have an open mind appreciate the level of disunity and disharmony demonstrated by those opposite. It was left to Hon Norman Moore and the member for Nedlands to run the campaign. I know they are responsible because the Leader of the Opposition has been giving them all the credit since 4 April. Mrs Joy West, one of the best candidates the Liberals have put up in recent years, placed her fate in such capable hands. The Liberal campaign began quite positively but it did not take long for it to degenerate into the usual negative effort. Perhaps the lowest point of all was the advertisement authorised by Hon Norman Moore which referred to Pam Buchanan. I will not go into details, but that advertisement would have to rate as one of the most tasteless and insensitive seen in any campaign. The electorate saw it that way as well.

Another leading light conservative also added to the confusion of the Liberal campaign by publishing a pamphlet purporting to give my views on a number of issues without, of course, any reference to me. Finally, on election eve and election day a number of unauthorised and anonymous anti-Labor election pamphlets and posters were produced. I do not hold the Liberal Party responsible for those; however, one could well imagine the Liberal candidate asking, "With friends like these, who needs enemies?"

I would like to make a few comments about the media coverage of the by-election. I understand the Liberal Party has some complaints about its treatment by the Ashburton media. Perhaps they have become so used to reading *The West Australian* that they actually believe the earth is flat. However, on this occasion the local newspapers, *The Karratha Guardian* and the *North West Telegraph* had a much better grasp of the issues than did *The West Australian* and were quite willing to give all three candidates a fair go if they had something newsworthy to say. Neither paper nor their journalists or editors had any ideological or personal axes to grind. Similarly, the local ABC radio and the commercial radio and television stations provided balanced coverage. With the exception of articles under the by-line of Mr Magoo - I mean Mr McGlue; that is my mistake, Mr Magoo was

blind in both eyes - I think readers would agree that the Labor campaign was positive and constructive, in contrast to what the Liberal campaigners offered the electorate.

The last point I wish to make about the by-election should be noted by every member of this House. I refer to the contribution of the Premier, Dr Carmen Lawrence. It is not surprising that a recent survey showed that if one adds together the percentage of popularity of the member for Nedlands and the Leader of the Opposition the total does not match that of the Premier. It is not difficult to explain the difference in appeal. I have witnessed the Premier's capacity for hard work and commitment to her party and its members. The public know that, even if not all of them support our party. The best and most telling example of the Premier's leadership qualities was her decision to remain in Ashburton on election day. She stood by her candidate, party members and supporters, win or lose. Not so the Liberal leadership; the Leader of the Opposition went jet skiing in Perth, while the member for Nedlands nicked off on a jet to Perth two hours before the polls closed. I know what team I am proud to be part of. Thank you, Premier.

I come to this Parliament after 22 years' service in the Crown Law Department of Western Australia. I am proud to have been a public servant and to have spent most of my service in the north of the State. I thank my many friends in the Crown Law Department at all levels of the organisation for their friendship and support over the years. As managing registrar of the Karratha court and clerk of other country courts I have seen progress in the administration of justice in this State over the past 10 years. For example, the support services now offered in areas such as family law and to the victims of domestic violence attest to this Government's commitment to the needs of women and families. I also acknowledge the contribution of lay justices of the peace in northern communities. It is particularly pleasing to record that the Government has seen fit to appoint a substantial number of women and Aborigines as justices of the peace, which ensures that local courts reflect a wide cross-section of the diverse communities in the north of the State.

As President of the Roebourne Shire Council it was my privilege to serve on an effective and hard working council ably served by professional and dedicated staff. We worked as a team and as a result the Roebourne Shire Council's financial position will soon be the envy of other local authorities, ensuring that the burden on ratepayers and others who contribute to shire revenue is minimised. As shire president, my policy was to encourage unity and harmony both in the council and in our community and to be available and accessible at all times. I intend to continue that approach and I can assure all electors, whether they supported me or not at the poll, that I will always put their interests first.

My task of representing the people of Ashburton will be assisted by the Lawrence Government's commitment to developing our State's resources. As members would know, some of our nation's most important resource projects are located in Ashburton or their products are despatched from our ports. The Premier's commitment to expedite project approval procedures will help to ensure job growth continues and offers a secure future to the young people who choose to live in the Pilbara. I have no hesitation in describing myself as pro-development. We must develop our State's resources for the benefit of our people. I recognise our standard of living and that of my children depends on reducing our current account deficit. We cannot go on living on the savings of foreigners which we borrow to sustain our lifestyle. We must pay our own way, and to encourage our most efficient and unprotected industries to export is one way we can continue to enjoy a good standard of living.

Environmental and heritage concerns are also of critical importance. One of the Pilbara's greatest assets is its natural beauty and its Aboriginal heritage. Both these concerns can be addressed to the satisfaction of all parties. We must have the right mechanisms in place first, however, and the State Government's new approval procedures will ensure this. One thing for certain is that environmental and heritage issues are usually the last on the agenda of those countries with low or declining standards of living. By increasing the export wealth of our State and nation we will ensure that we have the resources and the will to protect our natural and cultural heritage. Even more important, however, is the development of downstream processing and industries which service our resource sector. The Pilbara is well placed to develop these industries through its proximity to South East Asian markets.

Over the years the people of the Pilbara have shown how innovative and hard working they are. This type of Pilbara spirit is shown in small but important local companies. A classic

example of that spirit is Mermaid Marine with its drilling and supply based developments. One of the keys to attracting more industries to the north is a reduction in electricity prices. Tourism is an area of special interest and involvement for me. The Pilbara tourism industry contributed \$48 million to the economy in 1989-90. The Pilbara region continues to attract increasing numbers of visitors from within Australia and from overseas, with 118 000 arrivals in 1990-91. Our growing hospitality and tourism sector offers job opportunities for women, young people, and Aboriginal people in particular. We can do more to market the Pilbara effectively, and we ought to be able to develop an industry in the north west which competes with that of the Northern Territory and Queensland. One of our greatest obstacles is the monopoly enjoyed by one airline into our main towns, and I will do all I can to open the skies of the Pilbara. The completion of the new runway at Karratha will enhance our capacity to draw other operators into the region.

Good industrial relations are also fundamental to the future of both the Pilbara and the State. Last year saw the number of working days lost due to industrial disputes drop to 9 400 from 128 000 in 1981, and the trend is continuing. This is a fact of which the Labor State and Federal Governments, employers and unions can be proud. In the early 1980s, when I came to the Pilbara, industrial disputes were the norm; now the opposite is the case. This is only one result of the cooperative approach to industrial relations encouraged by Labor over the past 10 years. It has enhanced our appeal to our export customers whose constant complaint under previous Governments was the uncertainty of supply arising from industrial disputation.

The Opposition is seeking to undermine all these achievements. It has succumbed to the ideological prejudices and ignorance of its Eastern States' mates and adopted an industrial relations policy about which even its supporters have qualms. The Opposition wants to test its divisive and alien industrial relations policies on the people of the Pilbara. In contrast I support a tripartite industrial relations system; a consensus approach. I do so not only because I believe it is in our State and national interest to ensure economic stability, but also because the conservative alternative is a recipe for social disorder, uncertainty and inequity. One need only look to New Zealand to see the effects of ideologically driven deregulatory policies, from either side of politics. I am pleased that the Federal Labor Government has never embraced the snake oil policies of Roger Douglas - particularly his goods and services tax. It is a pity the Liberal and National Parties are not so selective about importing their conservative New Zealand cousins' "kiwi oil" industrial relations policies. The Liberals in Western Australia must be desperate if they have to look so far east for ideas.

While on that topic, I thank the Liberal Party for its assistance in highlighting how damaging a goods and services tax would be to the Pilbara, indeed to rural Western Australia. I understand the Liberal candidate in Ashburton also felt some discomfort about aspects of her party's new tax. The new tax proposals of the conservatives would impact severely on rural and regional Western Australia. Tourism and hospitality, two of our fastest growing industries, would suffer the devastating impact of the proposed 15 per cent tax on hotel and restaurant patrons. Families from the north west who enjoy a few weeks each year in the south west will pay 15 per cent more for every motel or accommodation bill. Local government authorities which provide garbage disposal services will be forced to collect an additional 15 per cent from ratepayers, and small businesses and community and sporting groups will be stuck with paperwork and extra expense to satisfy the tax man.

Like one of those broken shopping trolleys - stacked to the gunwales with Harpic and Pal, no doubt - that always pulls to the right, the goods and services tax is a vehicle for disaster. I am pleased that the Ashburton by-election played some part in informing country and regional Western Australians of the impact the proposed GST would have on living standards. I understand that after the by-election the Liberals had another look at their Fightback package as it has not produced the results they had hoped. I understand a more appropriately named package has been chosen; namely, the "Punch Drunk Package"; the policies remain the same but the ability to market the package may be improved.

Of course, taxation is an important issue to the people of the Pilbara, and I support the Premier's efforts to persuade the Federal Government to review the impact of the fringe benefits tax on north west residents. At the very least we must examine its effect on entitlements like rental and air-conditioning subsidies, which are an essential feature of north west communities. I will be working with my Federal colleague, Mr Graeme Campbell, to ensure that zone rebates are meaningful for north west residents.

Health and medical services is one of the most critical issues affecting the people of Ashburton. As in most parts of regional Australia, general practitioner services are provided in this area largely by the private medical profession. Although we are told that there is a surplus of doctors in Australia, that is certainly not the case in many north west communities where substantial incentives and benefits - those not enjoyed by other businesses or professional groups - still seem insufficient to draw enough doctors to the north west. Although the Health Department must be prepared to locate its own doctors in areas of need, the long term solution lies in providing a choice of medical services catering to the area's special needs of women and children, Aborigines and industry workers. The Pilbara's unique population and age profile, along with its concentration of industrial workers and the distances involved in accessing specialist services, requires innovative responses to the provision of medical services by Government, the private medical profession, community groups, employers and unions. All these groups have an interest in good health services, yet our community responses to these needs are often ad hoc and driven by the urgency of the moment.

During the Ashburton by-election I was made acutely aware of the pain and distress inadequate medical services can cause in that electorate, as well as the inherent cost of family disruption and financial hardship. I pledge to honour my election promise to the people of Ashburton to ensure a satisfactory level of medical service is provided. Additionally, misperceptions and misunderstandings - by doctors and patients - about the provision of other services such as PATS - the patients' assisted travel scheme - and specialist services contribute to community concerns. Also, it is apparent that communication between these interested groups is inadequate. These problems have no quick solutions, but I undertake to ensure that proper communication and consultation occurs in the process to improve the situation.

Housing and other accommodation is also a major community concern, and I support the sale of Homeswest stock to local families under Homeswest's Right Move scheme, both as a means of encouraging long term residence in the region and to provide new funds to build accommodation for families, single people and pensioners. However, the funds generated from those sales must remain within the market from which they came.

Aboriginal people comprise a substantial portion of the population of Ashburton. These people have the same needs for housing and health services as other residents, but employment is their greatest need. Although we have excellent schools in Roebourne and Onslow, which are staffed by committed teachers, the teachers' job is made harder by the lack of tangible employment opportunities for young people at the end of their schooling. Without successful role-models in the community, it is difficult to encourage young people to see the full benefits of education. Grandiose schemes are not the answer; small scale enterprises directed at the tourism market, house building and other local needs will provide Aboriginal people with the opportunity to break the cycle of dependency. The dignity and improved morale which result from having a job are priceless benefits to any individual or community.

Mr Speaker, we still imprison far too many people, and the attendant risks and costs are well known. I would like to see our prison system using living areas away from major population centres as places of detention - if detention is the only alternative available - for Aboriginal people. Such a scheme, properly administered, would provide both financial and social benefits by strengthening the traditional authority of Aboriginal community elders and leaders. In this respect, I commend the work of the Roebourne police who have demonstrated a strong commitment to their community, especially to young people, above the demands of normal duty and working hours. I hope the commissioner continues to encourage this attitude in his officers, particularly in north west communities.

I have already touched on the need to encourage alternative air services in the Pilbara region; similarly, I will be working to develop the Port of Dampier as a regular port of call for the State Shipping Service. We have seen already the flow-on benefits of such development in the Kimberley with reduced freight costs to local businesses and consumers. It is amazing to note that the Opposition wants to scrap Stateships, despite the benefits which accrue from its operations to the north and the development of interstate and overseas markets. Also, I hope that we will continue to see more Australian registered ships on our coastal and overseas runs. When I inspected the *Kirki* last year off the coast of Dampier, I was appalled at the

condition of the vessel and the crew's living conditions. That sort of floating disaster would not have occurred on an Australian ship.

Mr Speaker, finally I thank you and the staff of the Parliament for your assistance and support in helping me settle into my new duties. I am honoured to take my place here as a member of the Lawrence Government team, and I look forward to serving the people of Ashburton for many years to come.

[Applause.]

RETIREMENT VILLAGES BILL 1991

Returned

Bill returned from the Council with amendments.

MEMBERS OF PARLIAMENT - LEAVE OF ABSENCE

Blaikie, Barry

On motion by Mr Bradshaw resolved -

That leave of absence until 4 June be granted to Mr Blaikie on the grounds of urgent private business.

PAY-ROLL TAX AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Dr Lawrence (Treasurer), and read a first time.

ACTS AMENDMENT (GAME BIRDS PROTECTION) BILL

Second Reading

MR PEARCE (Armadale - Minister for the Environment) [2.40 pm]: I move -

That the Bill be now read a second time.

This Bill is to put into effect the Government's intention to ban recreational duck shooting. The principle on which this legislation is based is that our native wildlife should be protected, admired and respected, not shot for pleasure. It reflects the widespread view that the institutionalised killing of wildlife as a form of recreation runs counter to the environmental sensitivity to which the community increasingly aspires. This Bill seeks to protect indigenous ducks, geese and quail from being shot for recreation and to eliminate the environmental damage caused by shooters to the State's fragile wetland nature reserves. Ministerial discretion to declare open seasons on ducks, geese and quail so that they can be shot for sport will be removed from the Wildlife Conservation Act, as will the capacity to prescribe licences in the regulations to allow recreational duck shooting. An ability to make regulations to control the taking of fauna subject to damage mitigation arrangements will be retained in the Act. In the Government's view it is wrong for nature reserves to become killing fields for duck and quail shooters when the reserves have been established to preserve protected fauna and their environment. Saving provisions in the Conservation and Land Management Act affecting the classification of certain nature reserves as shooting or hunting areas and the regulations governing the taking of game species will be repealed as part of the ban on recreational shooting of ducks and quail. As a matter of principle the Government opposes the institutionalised slaughter of any wildlife when there is no good reason for doing so. I commend the Bill to the House.

Debate adjourned, on motion by Mr Minson (Deputy Leader of the Opposition).

RATES AND CHARGES (REBATES AND DEFERMENTS) BILL

Second Reading

DR LAWRENCE (Glendalough - Treasurer) [2.42 pm]: I move -

That the Bill be now read a second time.

The purpose of this Bill is to implement a revised concessions scheme for pensioners and

seniors for local Government rates and water, sewerage and drainage service charges. Isolated administrative problems and anomalies have emerged from time to time with the pensioners' scheme and these have been addressed by amendments made to the legislation in 1976, 1979, 1984 and 1987. However, as numerous inequitable situations continued to arise it was apparent that a comprehensive review of the scheme's operation was necessary. Several quite fundamental changes to the current legislative provisions have been identified by the review as being necessary to overcome inequities. A number of features that appear in other States' schemes have also been incorporated. In addition, one piece of legislation relating to rates concessions was considered appropriate as a means of ensuring consistent treatment, as far as possible, for pensioners and seniors. Adoption of this course has also allowed some perceived minor drafting deficiencies in the seniors' rebates legislation to be rectified.

Pensioners and seniors registered with the relevant administrative authorities under the current legislation, will maintain the full benefits they currently enjoy. The benefits of retaining the rights of existing registrants outweigh any perceived advantage in treating all persons the same. While the latter course might have certain administrative advantages, it would necessitate registration of all existing pensioners and seniors and would immediately affect the entitlement of a large number of pensioners currently receiving concessions. The seniors' scheme is currently based on the level or extent of a senior's ownership in residential property. I am pleased to advise that this has been extended to cover part owning pensioners who register with administrative authorities from 1 July 1992. This will enable many pensioners to benefit from the scheme for the first time. In addition, joint occupation with a person who is neither a pensioner nor a dependent will cease to have an effect on a person's entitlement to receive concessions. The provisions preventing pensioners from obtaining a rebate if rates were paid prior to obtaining "entitled pensioner" status have, over the years, caused much confusion and misunderstanding and have been applied inconsistently by administrative authorities. Many of the problems have been caused because the current scheme does not relate qualification to a particular date. Commencing in 1992-93, persons who own and occupy property at the commencement of the rating year and have registered with the administrative authority by the due date of the rates account, will qualify for rates concessions in respect of that rating year. In this way qualification will be clear, certain, and simplified by the provision of a date as a parameter for access to a rates concession for the year. It also means that property changes during the year will not affect or confuse qualification thereby ensuring that benefits are provided in a uniform manner by all administrative authorities.

The capacity for the legislation to be applied in a uniform manner will be enhanced by the provision of a procedural manual to all administrative authorities. Basically, these and other minor changes will -

- make the eligibility criteria easy to understand;
- eliminate a number of inequities, particularly in relation to part owning pensioners;
- promote a consistent treatment of pensioner and seniors' rates concessions;
- promote a uniform treatment by administrative authorities; and
- reduce the time spent administering the scheme.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Clarko.

NURSES BILL 1991

Report

Report of Committee adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Wilson (Minister for Health), and transmitted to the Council.

SOUTH WEST DEVELOPMENT AUTHORITY AMENDMENT BILL 1991*Report*

Report of Committee adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

MR D.L. SMITH (Mitchell - Minister for South-West) [2.47 pm]: I move -

That the Bill be now read a third time.

MR NICHOLLS (Mandurah) [2.48 pm]: I do not wish to delay the House any longer than is necessary, but I have some comments to add since the South West Development Authority Amendment Bill was before the House prior to the recess. I would like to clarify a few issues not only to the House but also to you, Mr Speaker, as a member who was interested in some of the remarks made during the debate. My perspective of the spirit of the debate is that a desire exists to see a Peel development authority established prior to the region's reaching the mandatory population status of 45 000. The South West Development Authority Peel advisory committee was set up primarily to allow people in the Peel region to have input into the South West Development Authority to raise issues pertaining to that region and to create priorities for SWDA to pursue. During the debate on the merits of establishing the advisory committee prior to the region's population reaching 45 000, references were made to the debate on the original Bill. The member for Murray referred to a comment about the inclusion of Rockingham in that region. I wish to make it quite clear that at the time I commented on the Minister's statement that the population base should be 60 000 before a separate Peel development authority is established. I am very pleased that the population base required for that authority is to be reduced to 45 000. If we pursue the matter for a few more months the population requirement may be reduced to 39 000 and a Peel development authority may be established. When the member for Murray raised the issue I was concerned that rather than his trying to advise the House of the facts and paint a true picture he quoted selectively from some statements. I refer particularly to the statement regarding the inclusion of Rockingham under a Peel development authority. The Opposition has no intention of trying to establish a greater Peel region. However, at that stage I believed that Rockingham had far more relevance to Mandurah and the Peel region than did Bunbury. Nonetheless, there is no denying that - I hope the Minister and the Government agree - the Peel region does stand by itself. It is growing rapidly and has huge potential, particularly for commercial development. The region provides 20 per cent of Western Australia's mineral exports. That is a great achievement. More importantly, the development taking place in this small region is under the auspices of the South West Development Authority, which covers the south west. I would like it on record that I believe that is the wrong way to go. A Peel development authority should be established. No further infrastructure, huge amounts of capital investment or additional resources are necessary. That area needs autonomy, which could be quite simply provided. I would have no problem with a Peel advisory committee providing the information to that development authority.

Secondly, I am concerned that the South West Development Authority is trying to be all things to all people throughout the south west region. That adds overpowering weight to the suggestion that a Peel development authority should be independent of the South West Development Authority's control. Regarding the concern by the member for Murray about whether I see the South West Development Authority's Peel advisory committee as a barrier to the formation of a Peel development authority, as I said in the second reading debate, establishing the advisory committee prior to the Peel development authority is putting the cart before the horse. Undoubtedly as a political strategy this issue could create much emotion. It could be quite devastating if it were pursued in a very strong and powerful manner. However, it is the Liberal Party's belief, and I believe that of all Opposition members, that for the good of the people in the region we must make a concerted effort to provide jobs through commercial development. Wherever possible we should try to work together to show some spirit of cooperation and ensure that the community understands that members of all parties are trying to work in the best interests of the State rather than in the interests of individuals.

As I have stated repeatedly it is very important that the Peel advisory committee should aim

to develop commercial operations in the Peel region. I urge the Minister for South-West and the Government to change focus and redirect resources from social development towards commercial development to create real, long term employment rather than extra social development. I am not arguing that social development is not needed. However, departments such as the Department for Community Services have the resources and the ability to follow that direction. It is in their mandate. In that objective, the South West Development Authority would simply be duplicating roles. I urge the Peel advisory committee to concentrate solely on commercial development. I hope that the South West Development Authority will direct all its resources towards identifying commercial developments so that not only the people in the Peel region and in my electorate particularly, but also the people in Western Australia, will see benefit from commercial operations in that area. That will short circuit what could turn into a long term problem if the people - particularly young people - in the Peel region, especially Mandurah, find themselves living in an area with very few employment opportunities and very limited travel opportunities between their places of residence and employment, whether they be in Bunbury or the Perth area.

I reiterate that the Government has the support of the Opposition in establishing this committee. However, I would be happier to see a Peel development authority established prior to the advisory committee. It angers me somewhat that the advisory committee was in place before this Bill came before the House. However, I do not believe that the legislation should be opposed because I feel somewhat aggrieved. The Government's action in establishing the committee first is treating Parliament with contempt. I find that disgraceful, but it seems to be common practice among areas of Government administration. I urge the Government and the Minister to reflect on their policy of placing a population limit on the establishment of a separate Peel development authority. The Minister's decision to reduce that requirement in 12 months from 60 000 to 45 000 is an excellent compromise. However, I would like him to reduce it to 40 000 now so that no barrier will exist to establishing that independent body and allowing the people working in the Mandurah office of the South West Development Authority to show they have not only the ability to produce results but also the incentive. They will not be riding under the wing of a major empire as appears to be the case with the South West Development Authority. In fact, the staff in the Mandurah office of the South West Development Authority will have to be accountable for their performance and that may result in their actions being more productive and beneficial to the people of the Peel region than is currently the case. In saying that I am not denigrating those people in the Peel region; however, they are in the same position as everyone else in the south west who is fighting for funds. They are not receiving a fair share and that needs to be communicated to the board.

Every member in the House and the community should understand that the Liberal Party supports this legislation because it believes there is some merit in an advisory committee. However, it is disappointing that the Government has decided to appoint the committee without establishing a separate Peel development authority and before this Parliament has decided whether that legislation should be in place.

MR D.L. SMITH (Mitchell - Minister for South-West) [3.03 pm]: I thank the member for Mandurah for clarifying his position on the inclusion of Rockingham in the development authority. I also thank him for his support of the Bill and the establishment of the advisory committee. I assure the member that the reduction in the population requirement has been achieved as a result of constant representations by the member for Murray to me and my ministerial colleagues. If he continues with those representations there is some chance that the required number may be reduced. However, the number has been reduced to the equivalent of the smallest population in the areas covered by the other development authorities and it will be difficult to reduce the number beyond that. I am disappointed that the member for Mandurah still sees the development authority as an authority for economic development and does not appreciate its role in social, community and arts development. I hope that in time he will come to appreciate the benefit of the other side of the development authority, which is focused on people rather than on jobs and economic development. I commend the Bill to the House.

Question put and passed.

Bill read a third time and transmitted to the Council.

WESTERN AUSTRALIAN LAND AUTHORITY BILL 1991*Second Reading*

Debate resumed from 8 April.

MR TRENORDEN (Avon) [3.01 pm]: The points I was making previously concerning the Western Australian Land Authority Bill related to my being a member of a Select Committee of this House. I am concerned about what has been happening in the north of the metropolitan area. A number of developments have occurred in that part of the metropolitan area which seem to have benefited certain individuals. Those people have done well out of the activities connected with the growth of our city. I have some queries about this Bill which concern my constituents. What is in it for the rest of the State? The second reading speech refers to the northern corridors of the city.

Mr D.L. Smith: That is certainly not what the Bill is about.

Mr TRENORDEN: The Minister for Lands should read the second reading speech.

Mr D.L. Smith: Read the Bill.

Mr TRENORDEN: The Minister knows very well that the second reading speech is an important part of the debate on any Bill. The activities in the north of the metropolitan area include the establishment of the \$200 million-plus Joondalup railway line. The National Party supported that. The National Party displayed a non-partisan attitude when it supported the view that the people of the northern suburbs of Perth deserved a rail transport system. It was told by the appropriate transport authorities that the railway would be an efficient system and would return 30 per cent of its running costs. It was also told that a subsidy of \$2.50 would be given to every person travelling on that rail system. The National Party supported that and believed that those statistics were correct. However, the Government has a responsibility to spread a few benefits outside of the places in which people vote Labor and to look after other parts of the State.

Mr D.L. Smith: This Bill will enable us to do just that.

Mr TRENORDEN: I am making those comments so that the Minister can respond to them. People living outside the metropolitan area must realise that the railway will be of great benefit to the people of the northern suburbs. Why cannot some of those benefits be spread evenly throughout the State? On many occasions I have stood in this place and referred to the benefits that could accrue from a fast train to my electorate. I do not intend to deliver a 24 minutes' dissertation on how that would benefit my part of the world; yet, one of the reasons for the amalgamation of these entities is, I assume, to improve the performance and delivery of services in this State.

The second reading speech also referred in great detail to the provision of facilities and infrastructure to people who live in the northern suburbs of Perth. That could also have been provided to the thousands of people in the Avon area who are encouraged by the establishment of an industrial park which will provide employment for people in that part of the world. Toodyay is one of the fastest growing semi-urban areas in Western Australia, but the problem there is the availability of jobs, the lack of infrastructure and other items. This Bill will be of great benefit to the people of the northern suburbs, but what about benefits for people like the Minister for Lands who lives outside the metropolitan area?

Mr Fred Tubby: Don't encourage him.

Mr TRENORDEN: I know that much has been happening in Bunbury.

Mr D.L. Smith: I assure you that I have great sympathy with what you are saying and the objective of the legislation is to spread some of the benefits across the State.

Mr TRENORDEN: The Minister will have the opportunity later to explain that. The key point is that every time an individual hops on the Joondalup railway he will be subsidised \$2.50 for that ride. The second reading speech talks about providing land, infrastructure and facilities. Again, I am being cynical. That cynicism has developed after witnessing for many years the pork-barrelling activities of this Government. What pork-barrelling will occur now when we are less than a year away from an election?

The speech also refers to the provision of land infrastructure facilities in conjunction with the

Joondalup Development Corporation. It does not refer to my electorate, the Minister's electorate, the Wagin electorate or the electorate of Ashburton; it refers to the northern suburbs of Perth.

Mr D.L. Smith: The authority will cover all of Western Australia and the second reading speech makes that very clear.

Mr TRENORDEN: One thing the Government likes to talk about and is good at talking about is accountability. It is a pity that it is not being delivered. I would like the Minister for Lands to take this opportunity to provide accountability in these provisions. I understand where ILDA and the Joondalup Development Corporation stand. However, the Minister should provide accountability provisions in this legislation so that there is some balance between the legislation and the second reading speech. I do not think that that balance is provided in that speech. As a rural member, I am concerned that the speech deals only with one area of this State. However, the speech does refer to the enhancement of public assets and the creation of employment. I wonder whether it is talking about a brand new entity and whether that will be the tool with which the ALP will pork-barrel its way into winning the next State election.

Mr D.L. Smith: No.

Mr TRENORDEN: Okay, I accept that. However, I am trying to indicate to the Minister that the terms used in the second reading speech could lead people to that conclusion.

Mr D.L. Smith: The Opposition parties' decision to exclude JDC and ILDA is consistent with their not having a policy at all for the next election. If you want benefits from the next election you should support those key elements and try to make the authority work.

Mr TRENORDEN: I have considerable interests in ILDA. It has a certain charter.

Mr D.L. Smith: It has taken a long time to recognise the needs of Northam.

Mr TRENORDEN: Exactly. However, I give credit for the fact that the Government is starting to do that.

I have concerns - I have raised these with the Minister privately. I want to know, as the member for Avon, if ILDA and the Joondalup Development Corporation are included in this new entity, and whether ILDA will have enough rural understanding to be able to represent itself properly in my electorate, other rural electorates and in outer metropolitan areas. I want to be reassured that it will not have a purely metropolitan drive and focus. The Minister understands those concerns and I hope he shares them.

Mr D.L. Smith: The member for Applecross has talked about acquiring special skills for membership and making sure we get at least one country representative.

Mr TRENORDEN: I hope there is some country membership on it also.

At the moment in Northam, ILDA is involved in the purchase of land for the Meenaar industrial park. I have spoken about that in this Chamber on many occasions and I do not want to repeat those speeches. However, the Chamber understands how important that is to the people of the region, not only Northam. Twelve shires are involved in developing the industrial park and it has been heavily endorsed in recent times by the Government. It has everybody's stamp of approval. The environmental impact study has revealed only one objection to the proposal. That is amazing in Western Australia in recent times.

Mr D.L. Smith: I wish that experience was repeated elsewhere.

Mr TRENORDEN: It could be if the Government were prepared to pick up the Avon Community Development Foundation's model because it is the best model in the State. The National Party will give it to the people of this State after the next election. The people of Avon have taken the development of that park to their hearts. Although they are worried about environmental matters, they are approaching the development in a mature and sensible manner. Everybody is available to participate in the process.

ILDA is considering offering \$190 a hectare for the land for the industrial park while the next door neighbour is trying to sell his land for \$640 a hectare.

Mr D.L. Smith: I think you should keep yourself abreast of the negotiations.

Mr TRENORDEN: I would love to do that.

Mr D.L. Smith: The door is always open.

Mr TRENORDEN: I hope it has progressed a lot further. However, if people do not understand the process, differences will occur. I am not trying to damn ILDA's involvement in the Meenaar industrial park because ILDA's attitude has been both dedicated and responsible. However, I am frustrated when I see that someone in the system is not aware of the local situation.

Mr D.L. Smith: You have to balance that against strict accountability, and the Government, through ILDA, cannot be blamed for doing too much.

Mr TRENORDEN: I agree, and I will not use this occasion to bucket the Minister or the Government about ILDA's activities and the \$6.5 million referred to in the Auditor General's report or the \$260 000 spent in the Inkpen situation which will now be a nice natural reserve.

Mr D.L. Smith: That is CALM.

Mr TRENORDEN: That is fine; that is what should have happened to that land and it is obvious that that was the way the land was headed. However, it is a pity that the Deputy Premier got himself involved, although I have a lot of time for him. However, he deserves a good swift kick for giving that ministerial direction and he will have to face the responsibility for that. He made a grave error in the Inkpen area.

Mr D.L. Smith: The land went from one Government agency to another and it is now going to a third agency.

Mr TRENORDEN: That is very interesting; how many times has land been moved between Government agencies?

Mr D.L. Smith: We will leave that debate to another day.

Mr TRENORDEN: I agree.

Land use in my electorate, which now runs a half circle around the metropolitan area, is an important issue. People buy 40 hectares on which to run their horses, a cow, goats and a few sheep, or they buy 100 or 200 hectares of unviable farm land but use it to do small landholding activities on the side while fully employed elsewhere. These land uses are very important. However, the value of the land in the near metropolitan area has increased to such an extent that agriculture is not now viable, therefore, this Government, in the near future, must apply its mind to how it can allow individuals to have lifestyles such as that and gain benefits from capital growth while allowing agricultural activities to continue. I am not sure whether the Minister knows it, but an individual in the Shire of Northam has put up a proposal for strata titling lands where a farm is kept as an entity. For example, land can be strata titled and the number of owners is irrelevant. The owners can achieve the capital growth of a farm, but the farm, under the title, remains a farm and can be leased out at a commercial rate. It means the farm always remains at the commercial farming level and the land is at another level.

Mr D.L. Smith: We are keen to make farms viable, but we have to be careful that arrangements are not made which will allow for subdivisions which will defeat the whole objective.

Mr TRENORDEN: I am not saying that my example is the panacea, but we must apply ourselves to the question of near metropolitan land use. The land in the Avon Valley and at Wandering is very productive farming land, but it is attractive to other land users. These issues must be balanced.

The Minister referred in his second reading speech to decentralisation and talked about land within 40 km of the city. In my view that is a laughable proposition. However, a person who resides in the central district of Perth would call it decentralisation. It is a joke.

Mr D.L. Smith: I drive twice as far as you do to get to this place.

Mr TRENORDEN: That is true, and that is why I am surprised that the Minister allowed that word to appear in his second reading speech. It is not what I would expect from him.

Mr D.L. Smith: The word should have been "regionalisation", not "decentralisation".

Mr TRENORDEN: I accept that. The proposed committee is to investigate community infrastructure. Again, that is great, but is the Minister referring in his second reading speech

to community infrastructure in the northern suburbs of Perth only, or does he mean in my electorate, his electorate or in Albany or Kalgoorlie?

Mr D.L. Smith: I am talking about those country areas which can be identified as regional growth areas.

Mr TRENORDEN: Obviously my electorate is one of those areas.

Mr D.L. Smith: Yes.

Mr TRENORDEN: Naturally I have an interest in this matter.

Mr D.L. Smith: Your interest should not be to develop an industrial park, but to provide community support.

Mr TRENORDEN: The Avon Community Development Foundation has done exactly that.

Mr D.L. Smith: It will need support from this legislation and the authority which will be established.

Mr TRENORDEN: I ask the Minister to devote a couple of minutes to this matter in his response so that I can advise my electors of the direction he intends to take. I would also like the Minister to explain what he means by "subregional areas", which is referred to in his speech.

Mr D.L. Smith: They are mainly the identified subregional centres in the metropolitan area.

Mr TRENORDEN: I thought that is what the Minister would say.

Mr D.L. Smith: In country areas I am talking about regional centres like Northam and Bunbury.

Mr TRENORDEN: That is fair enough.

The National Party understands that the Joondalup Development Corporation is reaching the end of its life and certain action must be taken. The same applies to the Industrial Lands Development Authority. I ask the Minister to emphasise what the benefits will be from the proposal to amalgamate the organisations referred to in his second reading speech. I repeat that the Minister's second reading speech appears to be a pork-barrelling campaign for the northern suburbs of Perth. The National Party wants to know what is intended outside the metropolitan area. The National Party supported the establishment of the Joondalup railway line on the basis of the population growth in the metropolitan area. It wants to know whether the benefits of this Bill will be felt by those people who live outside the boundaries of the metropolitan area.

The National Party will listen with interest to the remainder of this debate and if the Minister can give a convincing answer to the concerns I have raised the National Party may support this legislation.

MR C.J. BARNETT (Cottesloe) [3.26 pm]: I preface my comments on the Western Australian Land Authority Bill by quoting from the Minister's second reading speech with respect to its objective -

... to facilitate a coordinated and integrated program of urban development and land supply.

It is a fair enough objective and I have no difficulty in supporting it. However, if one studies the Bill one finds that what is proposed is the formation of the Western Australian Land Authority through the amalgamation of three agencies: The Industrial Lands Development Authority, the Joondalup Development Corporation and LandCorp. There is general agreement that Government agencies involved in land supply should be rationalised. Certainly, a multiplicity of agencies are involved in that business. However, a number of glaring omissions and inconsistencies are obvious. First, the East Perth Redevelopment Authority has not been included, and it could be argued that it has a specific task to play and perhaps it should not be included. I would agree with that.

Mr D.L. Smith: And it requires specific planning powers.

Mr C.J. BARNETT: We also find that the Joondalup Development Corporation, which is a similar body, has been included.

Mr D.L. Smith: The JDC has its own planning powers.

Mr C.J. BARNETT: That is the Minister's opinion and I will not debate it. I am making the point that the East Perth Redevelopment Authority has a specific task and it has been excluded, but the JDC, which also has a specific purpose and which only has a couple of years to run, is included.

Mr D.L. Smith: It requires special representation on the board by the Perth City Council. We cannot have two bodies represented by the PCC for the reasons outlined by the member for Avon.

Mr C.J. BARNETT: I refer the Minister to the objective of this Bill which he stated in his second reading speech: To facilitate a coordinated and integrated program of urban development and land supply. However, he is saying that he cannot do it because of planning approval. He does not know what he is doing. He tries to rationalise, but he is not doing it effectively. The East Perth Redevelopment Authority has been excluded from this Bill for a very good reason, but the JDC has been included. More importantly, the Industrial Lands Development Authority, which has a specific role in the development of commercial and industrial land, has been included. Why is it included in the proposed authority? It does not make a great deal of sense.

Mr D.L. Smith: It forms part of our urban development and planning.

Mr C.J. BARNETT: The Minister talks about what should and should not be included. I ask him why he has excluded Homeswest, the R & I Bank and, one could argue, the Department of Land Administration.

Mr D.L. Smith: The reason we have not amalgamated with the R&I should be obvious, the reason we have not amalgamated with Homeswest is because of the Commonwealth funding requirements and the reason we have not amalgamated with DOLA is that it has a broader responsibility as the protector of Crown land and is not the developer of Crown land.

Mr C.J. BARNETT: One could then say that the Minister has done a stunning job to facilitate and coordinate an integrated approach! He has given the House the reasons why major agencies have been excluded and inconsistent reasons why one agency should be included and another should not when they perform similar roles. The Minister will have his chance to defend this legislation.

The three aspects I will refer to in the context of this Bill are the role of Government in land development, the emerging land supply crisis in Western Australia and the role of Homeswest in land supply. I agree that the Government has a legitimate role to play in urban land supply.

This body has both a direct and an indirect role to play. Its direct role encompasses two areas: First, it should ensure that sufficient broad acres are zoned appropriately and are available for developers to develop individual residential lots. It needs that forward planning and for land that has gone through all the necessary approval processes to be available. I also agree that the private sector will not always supply a sufficient quantity of low cost residential land as it may not be an attractive proposition for it to do so. Therefore the Government has a social role, particularly at a time of rising land prices, to ensure that low cost, developed residential land is available. In doing so it should maintain a competitive force at the lower end of the residential land market.

The Government also has an indirect role to play in ensuring that conditions exist for private land developers to bring a sufficient quantity of land on stream at competitive prices. In my view we have an emerging land supply crisis in Western Australia, particularly in the Perth metropolitan area. It is highly likely that we will see the price of residential land increase in the order of 20 to 30 per cent in the next year. That may prove to be a conservative estimate. I know that the member for Applecross believes that the price increase will be significantly greater than that.

Mr D.L. Smith: You are ever the pessimist!

Mr C.J. BARNETT: I will tell the Minister why we will see a 20 to 30 per cent increase in land prices in the next year. I refer first to the direct cost of land development. I have a report titled "Land Cost" produced by the Urban Development Institute of Australia which states that State Government taxes and charges account for 20 per cent of the cost of

developing urban residential land. If one looks at the taxes and charges applied to both land and housing one finds that this Government has added something in the order of \$2 500 to the cost of a house and land package in the past year alone.

Mr D.L. Smith: Compare it to New South Wales.

Mr C.J. BARNETT: The Minister is a miserable little debater sometimes. He says, "Compare it to New South Wales." Why does this Government not have the courage to defend its record? It has added \$2 500 to the cost of urban residential land in the past 12 months. The Minister will have a chance to debate that fact, so he should not talk about New South Wales but look at his Government's performance.

The second reason we will see a rise in the price of land and a shortage of land in this State soon is the lack of forward development of land. In 1990-91 only 5 004 residential lots came onto the market in Perth. Last year the drop in the number of developed residential lots was 46 per cent; we saw the lowest level of development of residential land in the past eight years. The third reason for a crisis in land supply is the multiplicity of Government agencies in the land development field. They include the Joondalup Development Corporation, the R & I Bank, Homeswest, and the Department of Land Administration. I have the figures for 1989-90 for land accounted for by Government agencies. They accounted for 48.6 per cent of all residential land developed in Western Australia. In 1982-83 Government agencies accounted for only 23 per cent of residential land developed in this State, so that figure has more than doubled. What has happened since 1983? A multiplicity of Government agencies have become directly involved in land development and have crowded out private sector participants. At the same time, those Government agencies have enjoyed advantages not extended to private sector developers; for instance, they do not pay land tax or stamp duty, or face the same exposure to interest rates and holding costs as the private sector does.

A by-product of Government intervention in the land development sector has been a loss of companies from the private sector so that we now see a higher concentration of ownership among the fewer private firms which remain in the industry. The Government not only has entered into the area but also has found itself, through its agencies, holding land that is almost unsaleable despite the shortage. Homeswest has a number of areas of land that it will find difficult to sell because they are unattractive. Therefore, it has not done its business well. To summarise, this Government has precipitated a land price crisis which will see land prices rise because of a shortage of residential land. It has done that in three ways: First, it has added direct cost imposts to land development; secondly, it has failed in its planning; and thirdly, through a multiplicity of Government agencies it has crowded out private sector developers.

How much has the Government intruded in this area? I will quote some figures supplied to me by the Minister as at 30 June 1991. At that time LandCorp held 167 lots in the Perth metropolitan area, the Joondalup Development Corporation 333 lots, the R & I Bank 117 lots, Homeswest 1634 lots, and the Department of Land Administration, no metropolitan lots. As at 30 June 1991, according to the Minister's figures, Government agencies had 2 251 residential lots on their books which were available for sale. On looking at those figures one sees that the lots owned by the R & I Bank totalled five per cent and Homeswest owned 72 per cent of the total land held. Between them they held 77 per cent of Government owned residential lots, yet neither of those bodies will be part of the new body which is to rationalise Government land holdings, therefore, 77 per cent of Government owned land will not be included in that body. What a stunning piece of rationalisation that is!

If one looks at the whole State, including country areas, LandCorp holds 167 lots, the Joondalup Development Corporation 333 lots, the R & I Bank 117 lots, Homeswest 1869 lots, and the Department of Land Administration 1 235 lots. If one looks at the blocks held throughout the State by agencies not included in the land authority they include, the R & I Bank three per cent, Homeswest 50 per cent and the Department of Land Administration 33 per cent. Therefore, 86 per cent of Government owned and developed residential land held in this State is not included in the land to be managed by that body, yet the Minister talks about rationalisation of land holdings and Government activities. That is an absolute farce! The Minister has excluded the major land holding agencies from the new body. Perhaps DOLA should not be included, but the other bodies should be.

I have some specific comments to make about Homeswest so I regret that the Minister for

Housing is not in the Chamber as I believe he would be interested in participating in this debate. Homeswest has a prime social, and indeed economic, role to provide low cost rental accommodation. When a Liberal led Government is in power Homeswest will be redirected to its prime charter; that is, to provide low cost rental accommodation. It is clear that Homeswest needs to acquire land for its own purposes.

Mr D.L. Smith interjected.

Mr C.J. BARNETT: The Opposition believes in home ownership. The new member for Ashburton said today that he strongly supported home ownership for people in his area being achieved by selling Homeswest houses. If he was out of order in saying that, the Minister who interjected, and the Minister for Housing, should speak to him because he seems to be in complete disagreement with what the Minister is now saying is Government policy.

Mr D.L. Smith: I am pointing out the inconsistencies of your position.

Mr C.J. BARNETT: My position is not inconsistent. The Opposition believes in home ownership for people and will help them with rental accommodation and, when they are in the position to buy that accommodation, will sell it to them at a substantial discount designed to get people into their own homes. This is unlike the Government's niggardly and miserable policies. Homeswest's prime role is to provide low cost rental accommodation. It needs land for its own purposes to build that accommodation. Homeswest should buy land only for its purposes; it should not be a speculator in the land development business. Homeswest has involved itself in land development and land speculation to such an extent in recent years that this has very much detracted from its prime role and prime responsibility as a provider of low cost rental accommodation.

I will quote some figures. In 1988-89 Homeswest spent \$55.3 million on the construction of rental accommodation; in the same year it spent \$83.5 million on land acquisition and land development - more than 50 per cent more. In 1989-90 Homeswest spent \$91.7 million on building rental accommodation; in that year it spent nearly as much - \$77.9 million - on land acquisition and development. In 1990-91 Homeswest spent \$41.3 million on building rental accommodation and \$59.4 million on land acquisition and land development. In two out of the last three years Homeswest, the agency that is meant to provide housing to the less advantaged in our community, has spent more on land acquisition, land development and land speculation than on building low cost rental accommodation. It has been completely rorted by this Government away from its primary social role.

The consequence of that has been an extraordinary volatility in the Homeswest rental construction program. In 1989-90 Homeswest commenced 1 634 rental units. In 1990-91, as the recession got under way, as people needed housing help and, indeed, as the building industry was in recession, Homeswest cut its building program down to 633. The reason for that was that all of its capital was tied up in unsold land. That was classic and gross mismanagement by this Government.

Mr D.L. Smith: That is nonsense.

Mr C.J. BARNETT: They are the Minister's figures. If the Minister does not believe Homeswest's annual report -

Mr D.L. Smith: The figures are right but the reasons are wrong.

Mr C.J. BARNETT: This is an appalling effort by the Minister once again.

In 1991-92 the Homeswest construction program is up significantly. I might say - and I want to pay a compliment - that the current Minister for Housing at least has some commonsense and a far better handle on the Housing portfolio than did his predecessor. That can be seen by the fact that there has been a return to some sort of logic and sensible priority under the current Minister. I pay him that compliment and I regret that he is not here to receive it.

Mr Pearce: I will pass it on.

Mr C.J. BARNETT: In conclusion, we are prepared to go along with this legislation but, as the member for Applecross has said, we propose to make substantial amendments to it. This legislation provided a chance for the Government to genuinely rationalise excessive Government involvement in urban residential land development and to set a clear and appropriate role for Government activity in land development. The great pity is that in both

cases the Government has failed dismally. It has not included the major agencies. How can the Government rationalise land development when it excludes Homeswest, the major Government player in urban residential land development? It is sheer nonsense. The Bill was a good idea in many respects, but like so many things this Government does, when it comes to the line it cannot do them properly. This has turned out to be an extraordinarily poor and disappointing piece of legislation. It fails totally in its objectives.

MR D.L. SMITH (Mitchell - Minister for Lands) [3.43 pm]: I thank members opposite for what they said was their support of the Western Australian Land Authority Bill 1991. How can they seriously say that they support the Bill when the Bill is about the amalgamation of three Government agencies and they propose to delete two of the three from the amalgamation?

Mr C.J. Barnett: It is easy; you ignore the three, and all we are quoting is your objective as stated in your second reading speech. If you keep to that objective we will see how you go.

Mr D.L. SMITH: It is simply a nonsense for members opposite to say that they support the Bill. As is usual with members opposite, their rhetoric is often right but in practice and in policy they are very often acting in complete contradiction to that rhetoric. When it comes to supporting Government legislation which seeks to achieve what the rhetoric of members opposite is about, they seem to find every reason to oppose or emasculate it to an extent where it would be completely ineffective.

I will deal with some of the comments that have been made by members opposite after I have gone through again what the legislation is about. At present we have three Government agencies involved in land development. One is the Industrial Lands Development Authority, the sunset clause of which has been extended, but it is about to reach the end of its term. The second is the Joondalup Development Corporation, which has been active in developing the Joondalup Centre but which has a specific charter which is limited to the development of land within the boundaries described in the schedule to its legislation, and most of that land is either developed or in the course of development. The JDC will soon complete its charter and have to be wound up. The third is LandCorp, which in the past has been a subsidiary of the Western Australian Development Corporation but in its origin was really part of the inheritor of the holdings of what was called the Urban Lands Council. The amalgamation of those three agencies will achieve efficiency, both in the way in which they operate by preventing duplication of some staff and facilities and in some of the resources which are used in the course of land acquisition and development. As well, it will enable each of the agencies to take a more holistic approach to the question of urban land development.

Let us look at some of the problems created by the current legislation relating to the three agencies. In the case of the Joondalup Development Corporation, it owns land wholly situated within the City of Wanneroo. The development of that land places pressures on the City of Wanneroo to provide facilities, not just within the area being developed but also in the area surrounding it and in the general services that are provided by the City of Wanneroo to its ratepayers; yet according to its charter it cannot spend money on facilities and infrastructure outside the area which it is meant to be developing.

Mr Wiese: Why do you not amend the Joondalup legislation?

Mr D.L. SMITH: The reason is that that would simply shore up an unsatisfactory current situation and it would not enable us to do the sorts of things the member for Avon has been suggesting in other areas.

Mr Wiese: And can you already do that under the Joondalup legislation?

Mr D.L. SMITH: We cannot provide the community type facilities that we would want to in the City of Wanneroo through this new agency, nor through ILDA, and certainly not through the current Joondalup Development Corporation. What we have agreed with the City of Wanneroo is to set up a committee to examine infrastructure and community facilities across the whole of the City of Wanneroo and prepare a timed and programmed plan for the provision of a number of new infrastructures which will be required as a result of both the development of the Joondalup city and the development of Wanneroo overall. We can best do that in a situation where we have general powers to act rather than discrete powers which must be developed in the areas actually held by the Joondalup Development Corporation. We also have the problem that the Joondalup Development Corporation has almost reached

the end of its task to develop and sell its land and, in effect, we would simply have the JDC continuing as an agency to provide community facilities rather than being about urban development.

An Opposition member: You want to get your hands on its money.

Mr D.L. SMITH: If the objective was to get our hands on the money, members opposite know that could be achieved simply by requiring a dividend from the agency to the Consolidated Revenue Fund, and there would be absolutely no need for this legislation. This legislation will not avoid anyone being able to see what movement of money there is between the existing agencies and the Western Australian Land Authority, or between WALA and the Consolidated Revenue Fund. In essence, members opposite oppose the Industrial Lands Development Authority legislation because they say it has been successful in providing industrial land.

Mr Lewis: It has been, has it not?

Mr D.L. SMITH: It has been successful, but I emphasise that it would be a one sided approach to develop industrial land without consideration for community infrastructure and the impact on the community of that development. Support must be given to local authorities and to what is required by the local community by the development of industrial land. Retaining this body involves maintaining separate staff who are specialised in industrial land, separate reception staff, boards, accommodation and accounting arrangements. This all adds to the cost of administration without increasing the benefits to land development.

Mr Wiese: How many staff will you put off under this proposal?

Mr D.L. SMITH: We will put off some people who are duplicating reception, typing or support work, but we will employ more core people involved in land development work. The savings to be achieved will provide more land development, and in a more coordinated manner than that previously achieved by the differing agencies.

In effect, the Opposition desires to separate ILDA on the simple premise that ILDA has been successful and therefore should stay.

Mr Lewis: It is for separate, dedicated purposes.

Mr D.L. SMITH: It would be just as successful if it were not a separate, specialised agency, and the changes involved in this legislation will achieve savings. The Opposition espouses the rhetoric of avoiding duplication and supporting a reduction in the cost of Government, but when it comes to a particular agency the Opposition seeks to protect the agency because the Opposition believes it has particular characteristics which are required. As I said at the beginning of my speech, the Opposition mouths the rhetoric but when the acid is put on it, it says, "Oh no, we agree with the rhetoric but we don't agree with the proposal."

The other argument advanced by the Opposition is to exclude the Joondalup Development Corporation, apparently because the Opposition believes that that body is doing a specialised job in the northern suburbs but somehow or other will not be able to do that job in the future with these changes. However, the Joondalup Development Corporation will not have a job in this regard when it has used up the land allocated to it to develop; it will not be able to spend the development funds outside the area of its control. Members opposite argue, "It has just about finished its job, so let it run its course. If the JDC has some extra money which it cannot spend outside the Joondalup area, let us overlook the problem." Also, the Bill seeks to include Homeswest, but the Opposition ignores the fact that Homeswest has a broader charter than land development.

Mr C.J. Barnett: It is meant to provide housing, not land!

Mr D.L. SMITH: Homeswest depends for a substantial part of its expenditure on Commonwealth support, and it could not obtain that support if it were part of this development authority. I suppose members opposite are saying that a reduced amount of land should be available to Homeswest and an increased amount should be provided for development by the new authority.

Mr C.J. Barnett: We are saying that Homeswest is not in the business of land development; it exists to provide low cost housing for 95 000 unemployed people and for 17 000 people on Homeswest waiting lists. It should not be spending money on land speculation on which the Government has lost money.

Mr D.L. SMITH: The member might explain why, when members opposite were in Government, they maintained a policy of that kind of land development.

Mr C.J. Barnett: Our Government was not involved in land speculation.

Mr D.L. SMITH: When members opposite were in office Homeswest was involved in land holdings and land development. The only change since that time is that Homeswest, as a housing agency, has developed a policy whereby it recognises the folly of congregating masses of Homeswest homes in one area; it now has a policy of having one Homeswest rental every seven -

Mr C.J. Barnett: That sounds like a good argument for spending more money on land than on housing. The argument to do so - to spread out Homeswest housing - is irrational but it is typical!

Mr D.L. SMITH: That is not the issue at all; the fact is that Homeswest had substantial land holdings under the previous Government that were to be used for its purposes. When the change of policy occurred, regarding the pepper and salt approach to rentals, Homeswest had to do something with the rest of the blocks it was creating. It sold off some of that land, and it did that very well. It now recognises that, as it plans house building in certain areas, an integrated approach has great value; that is, Homeswest sells some of its land holdings but reserves a number of blocks for itself. The remaining blocks are sold to first home buyers and people on low incomes, and this helps to reduce the price of land and enable people to get out of rental accommodation and into home ownership, thereby reducing Homeswest's waiting list.

This Bill is not about Homeswest; it is about providing a land supply. Although the figures cited by the member for Cottesloe may seem impressive to him, about 10 per cent of all land available in the metropolitan area is held by Government agencies; the other 90 per cent is in private hands. If the member has any doubts about that, I suggest he check the figures for lot ownership. The evidence is that Homeswest and LandCorp have been active in selling lots of land at reasonable prices; they have sought to maintain a position in the market which simply achieves lower land prices for first home buyers and ensures that land is available for Homeswest developments. At the same time, they plan in a coordinated way with an appreciation for community infrastructures and with a mix of housing types; this is to be preferred to the old fashioned approach of pushing all Homeswest tenants into one area.

The Industrial Lands Development Authority had a problem in the past in that it did not concentrate on the supply of industrial land to the country market. That resulted in ILDA being active mainly in the metropolitan area when, in fact, a steady stream of people were seeking to obtain land for industrial use in country areas. This agency has not been proactive in developing country regions and the broader area of providing industrial land and support to local communities in the form of infrastructure so that people would be willing to move to those areas as part of a development and for employment.

I cite the example of Kemerton, which will be successful because ILDA has not only developed the industrial estate but has also recognised that it must contribute substantially to the local community infrastructure as part of that proposal. Without that community infrastructure, not only could it be unattractive for some people to live in but also the industrial development itself may bring substantial development costs for the local community. That is why the Government's current aim is to replicate the Kemerton example at Kalgoorlie, Geraldton and Albany, in the Pilbara and, as the member for Avon knows, the Avon area. A broader approach to industrial land development is needed than is envisaged under the current Industrial Lands Development Authority legislation. It is in danger of remaining a specialised agency rather than being able to better support local overall community development which will accompany industrial development. The member for Applecross and the member for Cottesloe may not appreciate the need for that because they are metropolitan bound. However, I assure them that in its role in country areas ILDA needs a broader capacity to look not only at industrial land development but also at community infrastructure and some of the residential land supply which will go with it.

One of the major problems in developing regional centres for industry is the availability of housing and land for development. In places like Narrogin, Wagin and Northam it is very difficult to encourage private land developers to develop residential land because there is no

profit in it for them. The idea of putting an industrial site in those areas without considering residential and other land needs is a one-sided approach which is sure to fail. Alternatively it could put huge pressure on existing land and housing availability which could result in hyperinflation in land and home values and cause a shortage of rental accommodation.

Mr Trenorden: That is not right. You cannot get away with a statement like that.

Mr D.L. SMITH: I assure the member for Avon that if the Government tried to introduce industrial development in those country regions without considering residential land supply and other community infrastructures it would not achieve the development we are talking about.

Mr Trenorden: That is not the strength of my argument. In Northam and Narrogin a large number of blocks of land exist which have been awaiting development for many years. That is the case not only in those communities but also in satellite communities like Grass Valley and Meckering which have serviced blocks waiting for someone to build a house on them. That will create jobs.

Mr D.L. SMITH: Many sites are available in country towns which have experienced declines in population. However, in individual towns 100 or less lots are available, but we could not rely on the availability of that land if we were to introduce into those towns industries which would immediately employ 100 to 150 people. The prices of that land would be driven up.

Mr Trenorden: The Avon community relies on approximately 20 townsites and in those townsites there are about 2 000 blocks of land.

Mr D.L. SMITH: I can only tell the member for Avon that his vision of what the development of Northam will bring is rather limited if he thinks 2 000 blocks will be sufficient.

Mr Trenorden interjected.

The ACTING SPEAKER (Dr Edwards): Order! Could the level of background noise be lowered? I think Hansard had difficulty in recording that interchange.

Mr D.L. SMITH: Members opposite do not seem to have any problem with the inclusion of LandCorp in the legislation. I do not wish to dwell on why it should be part of the combined agencies other than to repeat to country members that if LandCorp is included it will provide the combined resources of LandCorp, ILDA and the Joondalup Development Corporation. It will be used for the development of land and facilities, not only in the northern suburbs as has been suggested but also to concentrate on regional and rural communities. That should be of interest to members of the National Party.

Members opposite have also indicated concern at some of the powers in the legislation and asked why they should be included. I refer to the power of resumption. To understand the attitude of members opposite to the resumption power I refer to the Joondalup Development Corporation and the Industrial Lands Development Authority legislation. The Opposition was responsible for both those agencies being established. Both Acts include the power of resumption. Members opposite have tried to distort the resumption power in this legislation by saying that they fear that power will be used to resume residential land. In general terms that power may never be required for residential land because to do so in the metropolitan area would be completely contrary to what the Government is about when resuming land. However, I note that when the Opposition established the Joondalup Development Corporation it was happy for it to have that power within the metropolitan area.

Mr Lewis: It was in a defined area and the JDC owned it all.

Mr D.L. SMITH: Nonetheless, it had that power because one cannot rely on private developers to provide the residential land needed to accompany industrial development. It may be that a need will exist for the resumption of some broad acres where agreement cannot be reached for residential land to be released to accompany the industrial development. I ask members of the National Party to bear that in mind. In general, I can assure members that resumption will be a last resort, particularly for residential land. Nonetheless, a need exists to reserve that power. If, ultimately, members opposite feel that power should not exist, we should at least reserve the resumptive powers already held by the JDC and ILDA and not seek to remove them altogether.

With regard to rates and taxes exemptions, again inconsistencies exist in the Opposition's argument. When the Opposition introduced the JDC legislation it was willing to introduce the rate exemption. However it has criticised the JDC for not paying rates over a long period. If one asked the Wanneroo City Council on balance whether it would have preferred the JDC to work with the rates exemption or without it, it certainly would have preferred the exemption. The exemption has enabled the JDC to hang on to land, to plan for it properly and to make it available to private individuals. As soon as the land moves into private ownership the businesses, land occupiers and home owners pay rates and become substantial contributors to the finances of the Wanneroo City Council. On the matter of rates and taxes one of the Opposition's concerns seems to be that ultimately not too much of this agency's funds should be given to the Consolidated Revenue Fund. Its solution on rates, however, is simply that rates which would have been paid when land was held should be paid to the Consolidated Revenue Fund when a block is sold. On the one hand the Opposition seeks to avoid money going to CRF and on the other hand it is providing a mechanism whereby that will occur as a matter of course. Its answer to that situation comes back to the question of competition with the private sector. That is a very important consideration in the metropolitan area.

The Government should not be involved in land development in the metropolitan area except, as the member for Applecross acknowledged, in terms of land availability for Homeswest, for first home buyers at the low income end of the market and for evening out the peaks and troughs. I have no hesitation in saying that those should be prime considerations in land development in the metropolitan area. However, if the Government is going to make the development agency bear all the same costs in country areas that a profitable private enterprise agency bears in the metropolitan area, in the long term we will disadvantage development in country towns because we will impose extra costs where there is no profit. One of the factors which I hope the National Party in particular will bear in mind is that every time we do something on the basis of competition and fairness with private enterprise in the metropolitan area, we add costs to the development in country areas and probably the added costs will be so substantial that we will prevent developments occurring especially in terms of decisions being made by boards which have regard to financial sustainability.

Mr Wiese: How can you say that when WAWA headworks add another \$2 400 to a block in country areas?

Mr D.L. SMITH: In addition to that, during the whole of the holding period, under Opposition arrangements we will have to accumulate trust funds to cover the cost of the rates on top of the expenses to which the member referred. Where will they go under the Opposition's amendment? They will go to the Consolidated Revenue Fund, which will benefit the Government, and they will be an expense to the agency -

Mr Lewis: When?

Mr D.L. SMITH: When the land is sold and the land in country areas will not be sold at a profit. I want to make that clear: There is no chance that country residential or industrial land will be developed for a profit. Members opposite, by their amendment, will add to losses and therefore create disincentives for the board which will have the management of this agency's finances to look at country development. I ask the members of the National Party in particular to consider the implications of their argument.

Other Opposition concerns could be best dealt with in the Committee stage of the Bill. They involve things like by-laws and memorials on titles. The Opposition says the agency should not have the power to make by-laws or to impose memorials on titles. Again, the best way for us to understand what the Opposition thinks is good is for us to look at the past when it, in Government, set up the Joondalup Development Corporation and ILDA. Both pieces of legislation included a memorial power and a by-law making power. They were included for good reasons in relation to both those authorities because, very often, land was sold by the JDC on the basis of construction occurring within a certain time and, in ILDA's case, land was often sold on the basis that, for one to get a benefit from the terms upon which it was sold, one had to build and develop the land in a particular way. That was achieved by various memorials in the title. In other cases it was necessary to establish industrial estates and other areas within the Joondalup area under special developments and controls

provisions and the by-law making powers were used in that regard. I ask members opposite why they felt memorial and by-law making powers were necessary for ILDA and JDC but they do not believe those powers are necessary for this new authority. It is another example of members opposite trying to frustrate and emasculate the entity to be set up by the Bill and of their not doing what they believe is necessary as best evidenced by reading the legislation which they passed. Matters relating to the proclamation of the Bill are general matters which I will not go into now. The Opposition also expressed concern about issues such as Government guarantees, directions, the CEOs' salaries and other minor matters which are best dealt with in the Committee stage.

I will spend a few moments now dealing with the slanderous remarks made by members opposite about people involved in this authority. The member for Applecross said that the Bill was introduced to create a job for a person who had been a director of the South West Development Authority and who had fallen out with the CEO of the Ministry of the Premier and Cabinet.

Mr Lewis: Pretty right.

Mr D.L. SMITH: I think people who introduce that sort of slander into debates are small-minded. Not only is it a malicious slander but, with due respect to the member for Applecross, it might pay him on occasions when he makes those sorts of comments to know something about the personal circumstances of the individual and his family at the time.

Mr Lewis: I did not slander individuals at all.

Mr D.L. SMITH: I invite the member to discuss with me afterwards the current family circumstances of the person whom he slandered and to make those same remarks outside the House.

Mr Lewis: That job is being created for a person.

Mr D.L. SMITH: That person is a lifetime public servant. He has been a very successful and loyal servant to this State and there is no reason for his name to be dragged into debates especially when he and his family were experiencing a crisis at the time.

Mr Lewis: You should read my remarks in the second reading debate.

Mr D.L. SMITH: I will quote directly from what the member said and it is exactly what I have just said the member said. He used phrases such as, "to provide a friend of the Government with a senior job" and "a public servant who used to do the bidding of Government, and who was heavily involved with the South West Development Authority, fell out with the chief executive officer of the Ministry of the Premier and Cabinet". Those words are taken directly from *Hansard*.

Mr Lewis: Is that true?

Mr D.L. SMITH: That is malicious slander and if the member had any conscience at all and knew the circumstances of that individual and his family at the time, he would resign from public office. I do not think conduct of that kind befits anybody who holds public office. It certainly has nothing to do with this Bill. We should be debating issues that relate directly to this legislation.

Mr Lewis: Is it true or not?

Mr D.L. SMITH: I have told the House repeatedly that it is false, malicious and slanderous.

Mr Bloffwitch: What is false about it?

Mr Graham: You heard the Minister's response.

Mr D.L. SMITH: The member for Applecross uses and abuses the privileges of this place on a regular basis and he does not care whom he hurts or the circumstances of the individual at the time he hurts them.

The members for Marmion, Kingsley and Wagin and the Leader of the National Party and others referred to other matters.

Mr Clarko: What did the member for Marmion do?

Mr D.L. SMITH: I would like to respond to everything the member for Marmion said but I have only 10 minutes remaining in which to conclude my comments.

Mr Clarko: Do you understand why I spoke?

Mr D.L. SMITH: Yes, because the member for Kingsley was not in the Chamber and the member for Marmion was making time for her to arrive.

Mr Clarko: I hope you understand that.

Mr D.L. SMITH: I do, but unfortunately the member for Marmion raised issues about quarries and other matters which I do not think were relevant to this Bill. His comments were made in such an oblique way that it is difficult to deny or debate the matters raised. I can say only that the matters to which the member for Marmion referred are not known to me; if they are known to him, he should make them available to me, the Official Corruption Commission, or to whoever else he thinks is appropriate so that the proper authorities can deal with this matter. That would be preferable to his implying that someone who is dead was guilty of the sort of conduct which the member for Marmion alleged. That person is in no position to deny the allegations, and it is unfortunate when those sorts of elements are introduced into debates on Bills of this nature.

Mr Clarko: It was widely known at the time. The Minister was probably in his law office in Bunbury at the time and did not read the newspapers.

Mr D.L. SMITH: I probably was, and at the time I was busy enough as a practitioner not to get very much time to read the newspapers. However, it is unfortunate when people use the privileges of this House to libel people who are either dead or who are in the family circumstances of the person referred to earlier.

Mr Clarko: I was not libelling him at all.

Mr D.L. SMITH: The member for Marmion indicated that the person telephoned a person known to him and threatened him not with action through the courts but with physical harm.

Mr Clarko: You are wrong. The man who telephoned threatened legal action and the man I know said that instead of legal action they should try something else.

Mr D.L. SMITH: I suggest the member for Marmion reread his comments in *Hansard*.

Some members opposite dwelt on the role of the R & I Bank in land supply. I am not sure why they did that because they have not sought to involve the R & I Bank in this legislation. Neither have they have sought to involve the Department of Land Administration and, therefore, I do not know why it was referred to. The primary concern of members opposite with regard to this legislation seems to focus on whether the Joondalup Development Corporation, the Industrial Lands Development Authority and Homeswest Landholdings will be included in the agency.

In relation to the comment that the second reading speech was more concerned with the role of the northern suburbs or the subregional centres around the metropolitan area, I assure members of the National Party that that is not the intention of this legislation. The agency is very much intended to be the industrial, residential and other land developer and supplier in all the regional centres which have been identified by this Government as important for the future of Western Australia, and the future health of the environment, both the social and natural environment, in metropolitan Perth. The Government has announced that it will not develop any new major heavy industrial areas in metropolitan Perth, but will seek to develop them in country areas. The Government has already developed land at Kemerton and Collie, proposes to acquire land at Meenaar and proposes developments at Kalgoorlie and Geraldton. Also investigations are being carried out in the Albany, Pilbara and Kimberley areas. This State very much needs an agency that does not have a metropolitan focus and that agency must be well resourced. By incorporating ILDA, LandCorp and the Joondalup Development Corporation we shall start with an agency with substantial net assets which we hope will be used to do the job the Government has started in country areas. It will look at land supply in those areas as its first preference and as its first direction - as the Government has been doing - as opposed to carrying out that function as a second preference or because no-one else is willing to do it. The agency will be directed to be proactive in all country centres. If members opposite review the expenditure of ILDA in the past 12 to 18 months, they will notice the preference that has been given to country areas. The Department of State Development is also now starting to concentrate on country areas. I recall seeing photographs of Robyn Crane in Wagin or Narrogin recently playing that type of role. If

members opposite are serious about wanting developments, which is indicated in the Meenaar area by the lack of opposition to that development, they must support agencies of this kind which will have the muscle and appropriate legislation to achieve what they need to achieve.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Dr Edwards) in the Chair; Mr D.L. Smith (Minister for Lands) in charge of the Bill.

Clause 1: Short title -

Mr LEWIS: The intent of clause 1 is to change the thrust of current legislation and to put in place the Western Australian Land Authority which will deal solely with the development of residential land. Although it may be argued that the Western Australian Land Authority Bill is sufficient, it was clearly indicated in the second reading debate by members on this side of the Chamber that they intended to move to remove the provisions in the legislation for the removal of the Joondalup Development Corporation, and also to delete the proposed repeal of the Industrial Lands Development Authority Act and the Industrial Development (Resumption of Land) Act 1945, in order to make it abundantly clear that the Western Australian Land Authority will principally develop residential land and no other. I move -

Page 2, line 3 - To insert after "*Australian*" the word "*Residential*".

Mr D.L. SMITH: The Government opposes the amendment. The restriction to residential would not only prevent the incorporation of the Industrial Lands Development Authority and the Joondalup Development Corporation but also would frustrate the general intent of the legislation and make the proper development of residential land very difficult, or at least more expensive or less profitable, because the authority will not be able to approach the planning of any broad acre residential land areas in a way which will allow for the provision of community facilities or private infrastructure such as medical, dental or other supports for the community, even though in general terms the area may be regarded as residential.

Mr LEWIS: I am surprised that the Minister has given that reason for his opposition to the amendment. While I accept that the reason that the Government cannot accept the amendment is that the Industrial Lands Development Authority is in a dedicated sense involved in the development of industrial land, and that the Joondalup Development Corporation is involved to a lesser extent in developing commercial and industrial land, it is a nonsense for the Minister for Lands, who is also the Minister for Planning, to suggest that the insertion of the word "residential" would mean that the authority would not be involved in the development of local shopping centres and small commercial developments. I direct the Minister's attention to the definitions in the Metropolitan Region Town Planning Scheme Act whereby all of the land that is not zoned for heavy industry, open space and the like is categorised as residential land, and it is possible under that residential zoning to establish shopping centres and small commercial developments. The Opposition believes that the Western Australian Land Authority should be involved principally in the development of residential land as defined in the metropolitan region scheme.

Mr D.L. SMITH: The Bill with which we are dealing is not a town planning scheme, and no definition of "residential" has been proposed by the Opposition as part of its amendment. One does not go to town planning schemes or to other areas for definitions in order to interpret an Act of Parliament. In my view, there is a danger that the word "residential" will be interpreted in its ordinary and natural meaning, which includes the provision of land for housing, and it does not extend to those other matters. In any event, that is not the principal reason that the Government opposes the amendment. The Government opposes the amendment because this Bill aims to reduce the number of agencies, and if the purpose of the authority were simply residential, and if the Industrial Lands Development Authority and the Joondalup Development Corporation were excluded, there would be no purpose to the legislation other than to create a legislative entity under which LandCorp could operate in future. That would not achieve any efficiencies, and there would not be a reduction in the number of agencies involved in land development in Western Australia in which the Government has an interest.

Amendment put and negatived.

Clause put and passed.

Clause 2: Commencement -

Mr LEWIS: I move -

Page 2, line 8 - To delete the line with a view to substituting the following -

(2) All other provisions of this Act shall come into operation simultaneously on

The Opposition fears that the Government - as it has hitherto had a propensity to do - will proclaim sections of this legislation out of context when this legislation is intended to be proclaimed as one entity. Clause 49 will transfer to this authority the assets of the Western Australian Development Corporation, which is in liquidation, and I accept that if those assets are not transferred to this authority, they will be transferred to the Treasurer and there will probably be administrative problems in trying to get back those assets to the Western Australian Land Authority. Therefore, clauses 1, 3 and 49 will come into operation on the day on which this Act receives the Royal assent, and the Government will subsequently have the opportunity to proclaim the remainder of the Bill. I am not saying that the Government is seeking to selectively proclaim parts of the legislation, but this Bill would provide the Government with the opportunity to do that if that were its intention. The Opposition's amendment provides that all of the Bill shall be proclaimed at the one time.

Mr D.L. SMITH: I have no problem with the general principle that the Bill should come into effect as one unit. The only exception to that is where we have a reason to do otherwise. In this case, we are merging three agencies; we intend to wind up the Western Australian Development Corporation as soon as possible, therefore we need the structure in place to transfer the assets of LandCorp to the new entity as soon as possible. On the other hand, other matters should be attended to, such as the members of the board, the employment of staff, the budget, and a number of planning and procedural matters. It may be necessary to stagger the proclamation of the clauses. I oppose the amendment.

Mr LEWIS: Is it the intention of the Government to stagger the proclamation of the provisions of this Bill?

Mr D.L. Smith: As far as possible, that is not the intention. However, the nature of the agencies are such that it may be necessary in the end to do that.

Mr LEWIS: That comment highlights my point. It is improper to pass legislation and subsequently proclaim it in sections. The framing of clause 2 recognises the need to stagger the proclamation. That clause specifically identifies the need to proclaim sections 1, 3 and 49 to provide the machinery to transfer those assets. However, the Government wants the provision to be open-ended in order to proclaim the rest later. In other words, the Government intends to pass legislation relevant to one Act while some parts of it may never be proclaimed - to suit the intention of the Government - without a clear explanation. Within the framework of this Bill the Government could have clearly identified the parts which it intends to defer rather than handle these matters simultaneously. The Minister represents the Government; he is supposed to know what the Government is doing. The intention of the legislation was announced two years ago by the Premier. It appears now that the Minister does not know when he may wish to proclaim the various sections of the legislation. The Minister should state clearly just how he will implement the legislation.

Mr D.L. SMITH: I reiterate that the Government's intention as far as possible is to implement the legislation as one unit. As a second alternative sections 1, 3 and 49 will be proclaimed, followed by the remainder. With the merging of three agencies and the assets and liabilities involved, I do not want to preclude that possibility. I want people to understand that although the member for Applecross is a suspicious person by nature, no reason exists for suspicion or questioning. It will be a matter of our doing what is best and most attractive to get the agency up and running. There will not be any other considerations.

Mr WIESE: The member for Applecross is not suspicious. Perhaps he is confused by the legislation. Subclause (1) provides that this clause and sections 1, 3 and 49 of the Act will come into operation on the day on which the Act receives Royal assent. Clause 49 deals with the transfer of assets of the Western Australian Development Corporation. In that clause we

note that orders may be published in the *Gazette*, and those orders may be affected by further orders in the *Gazette* but may be made after the commencement date as defined in schedule 4. Clause 1 of schedule 4 contains another definition of commencement date; that is, the day on which section 48 of the Act comes into operation. Clause 48 deals with the repeal of the Industrial Lands Development Authority Act, the Industrial Development (Resumption of Land) Act and the Joondalup Centre Act. It is not a matter of being suspicious; it is a matter of being very confused. Can the Minister explain the various commencement dates?

Mr D.L. SMITH: I emphasise again that the assets of LandCorp are held by the Western Australian Development Corporation. They will transfer to the new agency. If there is a need for a staggered commencement date this provision allows that. There is no reason for suspicion. The intention is to proclaim the entire legislation as soon as possible and to have the agency operating completely by 1 July. Nonetheless, because of the nature of the exercise, I do not wish to exclude other possibilities. If delay occurs in the proclamation of any part, members may ask questions at that time.

Amendment put and negatived.

Clause put and passed.

Clause 3: Interpretation -

Mr LEWIS: I move -

Page 2, line 18 - To insert after "Australian" the word "Residential".

The intention of the amendment is to tidy up the definition of "authority". I sought to amend the short title by including the word "residential"; this would have been a subsequent amendment. Notwithstanding the result of that amendment, I pursue the matter for the record.

Mr D.L. SMITH: This amendment is also opposed.

Amendment put and negatived.

Clause put and passed.

Clause 4: Authority established -

Mr LEWIS: I move -

Page 5, lines 15 to 17 - To delete subclause (5).

Why does the proposed authority need to operate with more than one trading name? The Bill will give the authority the power to trade in a multiple of operations such as the purchase of industrial, commercial and first home buyers' land. I understand that may be acceptable in a commercial sense but the public must be completely informed about the trading names of government agencies. Homeswest currently trades as a number of entities and I do not believe the public are aware of that. My amendment proposes to delete from the Bill the authority's ability to trade as an agency of the Crown and enjoy all the privileges that entails. If the Western Australia Land Authority is to be an independent authority with its own board it should be required to operate in the marketplace on a level playing field with all other developers. The legislation gives the authority the rights of the State which exempt it from taxation, and as we have seen with agencies such as LandCorp, without the same cost constraints as developers in the hard, real world it is very easy to show a profit when trading with the privileges of the Crown. I would presume that as an agency of the Crown the authority would be exempt from paying the training levy, financial institutions duty, land tax and other charges that impact on developers in this day and age. The Opposition believes that if WALA is to be an agency operating on behalf of the Crown to develop land it should not have a preferred position to its competitors in the private sector. It would be very easy at the end of the year for the people running the authority to total up the costs and draw the bottom line on their profit and loss statement and demonstrate that the authority was making a profit if no allowance is made for taxes and charges. This amendment will ensure that WALA stands on its own two feet in the marketplace, not under the shelter or with the privileges of the Crown. WALA would feel the heat of the market and would price its product according to the real costs and not the artificial costs that could be demonstrated by virtue of a bottom line profit and loss statement that does not take into account many of the real costs associated with land development.

Mr D.L. SMITH: The Western Australia Land Authority will operate under one or more trading names because its operations will be split into three divisions, residential, industrial, and specific projects and community infrastructure. Because of the nature of those operations it may be necessary to distinguish those activities by using different trading names for marketing and identification purposes. However, there is no reason beyond that and that is the only reason for wanting the ability to use more than one trading name.

The question of whether the authority should be an agency of the Crown is the usual vexed one when establishing these kinds of agencies. I would not argue about this agency being a Crown agency if this agency were simply to be a residential or industrial land development agency in the metropolitan area. However, I note that the Industrial Lands Development Authority for instance, under section 5(2)(c) of its legislation, is a corporate agency of the Crown in right of the State.

Mr Lewis: There is a reason for that.

Mr D.L. SMITH: The reason for that is that in the case of industrial development as practised by ILDA, it does enter the non-commercial areas and does things for the benefit of the State and other agencies of the State, including the Department of State Development. In that context, where WACA is operating not for profit but for community and State benefit, it is appropriate that it should have the protection of the Crown in the same way as ILDA has. In operating in residential, industrial, and special project developments in country areas which do not run at a profit, WACA needs the assurance that the people dealing with the agency will be paid for any contract or other arrangements they may enter into with the agency. If it were not an agency of the Crown the State would not have to stand behind an authority which gets into financial difficulty and cannot pay its obligations.

Mr Lewis: That is not true because later the legislation refers to the ability of a guarantee to be given.

Mr D.L. SMITH: Yes; however, in most cases where the guarantee is not sought and is not operative, the situation would be as I have indicated.

Mr Lewis: You don't expect me to believe that.

Mr D.L. SMITH: I do not believe that every person dealing with the agency in country areas will be seeking to have a Government guarantee on contractual arrangements with the authority. They cannot have it both ways.

In those situations where the agency is engaging in non-profitable operations, it does not want a disincentive to apply by this agency having to pay taxes, rates and other charges to other Government agencies. If this agency must develop in those areas on the basis of substantial consolidated revenue support it will have to be on the begging list each year. It is hoped that there will be a degree of cross subsidisation, with the profits in the metropolitan area going to support the non-profitable operations in country areas. Nonetheless, we do not want to increase the losses suffered in country areas by the agency's artificially having to pay rates, taxes and other charges to the State. The best way to approach the issue is to provide the agency with the protection of the State. If certain obligations appear under legislation which do not extend to the State, the appropriate way to do that is as we have done in clause 14; that is, the fact that it is a Crown agency does not exempt it or give immunity from the Bills that are listed.

The second reading debate referred to the example of the Environmental Protection Authority. The EPA is not referred to in clause 14 because the EPA's legislation expressly makes the Crown subject to that legislation. That is one of the means by which the benefits to the Crown agency can be limited. The other way is by the invention by members opposite of some sort of deferred accumulation and payment when the land is sold. I hope that when the Committee reaches those provisions, and if Opposition members still insist on their amendments, we may limit that to rates and taxes which are payable to other than Government agencies or, alternatively, we may limit it to situations where the land has actually been sold at a profit rather than at a loss, as may be the case in some of the ILDA development or residential land development in country areas. It is not important in some respects, but given that the legislation affects the combination of ILDA, the Joondalup Development Corporation and LandCorp, it is appropriate that the protection to which members opposite agreed when the ILDA legislation was passed, is extended in a like manner to the authority created by this legislation.

Mr C.J. BARNETT: I support the amendment moved by the member for Applecross. As I commented in the second reading debate, the multiplicity and intrusion of State Government agencies in the development of residential land is creating the problems now emerging of land shortages and land price rises. These agencies have been able to intrude into this area because they are operating under advantageous conditions and are not required to pay land tax, stamp duty, holding costs and so on. I raise this to point out not only the unfairness of this system to land developers but also its effect across the entire industry. It is having a crowding out effect by discouraging private land development. The Minister commented that these agencies are engaged in non profit activities. He tried to soft pedal it by saying that the agency would be engaged in only Government roles, that it would not be in business for profit and that it was all above board. However, that deserves scrutiny. I would be willing to entertain the suggestion that if this proposed land authority is involved in operations such as land banking or the holding and reserving of land for commercial industrial use for some time in the future, perhaps it would make little sense to penalise the authority with Government charges. That would effectively be money going in circles.

The timing of bringing on developed residential land is not all that important. One finds that many of these agencies, particularly LandCorp, are not operating all that much at the social end of the land spectrum. An example in my own electorate is the aggressive development and sale of land at Mt Claremont by LandCorp. That land is being sold at very high prices and there is no way it can be argued that the agency is performing a social role. People who are paying \$130 000 or \$140 000 for blocks of residential land are not people the Australian Labor Party feels it must support; yet, the operations of that agency are being subsidised by people not paying land tax or stamp duty. A wealthy part of the community is buying land which is effectively cross subsidised by all other purchasers of land. That is highly inequitable.

Not only is that land catering to the upper end of the market because of its prestigious location but also other problems are occurring. It is a stated objective of the Government to encourage increased residential density and Government members are saying much about encouraging smaller residential blocks. In the Mt Claremont development, LandCorp is selling residential blocks of 1 100 square metres or more. That is being done because it is prestigious land and that maximises the profit. While the Minister for Lands makes glib, socialistic remarks about the agencies not being in the business to maximise profit, the price of the land, the marketing behaviour and the size of the residential lots are aimed at the upper end of the market and at maximising returns. There are no reasons at all, on the grounds of equality, equity or efficiency in the land development industry, that that agency or that land should be exempted from normal Government charges. In fact, by exempting these agencies from charges, we skewer land development. The Government is encouraging non optimal types of land development and encouraging the agencies to hold land and develop it at inappropriate times.

It is absolutely fundamental to this legislation that we try to create as level a playing field as possible. It would be preferable for Government agencies to be out of the area. However, from time to time they will be caught with parcels of land which must be disposed of in the marketplace, and if that cannot be done, for whatever reason, through a private developer, it must be done on equal terms if it is to be done by a Government agency. I support the amendment to delete that provision.

Mr D.L. SMITH: There does not appear to be much difference between my position and the Opposition's position on the general principles of when the Government should be involved in land development. The problem arises in relation to a combined agency of this kind which is seeking to be involved in residential land, industrial development and commercial centre-type developments not only in the metropolitan area, but also in the country areas. In that context the proposed agency needs the protection afforded to a Crown agency. If members opposite want to constrain the agency in its ability to compete I encourage them to seek to do so through the sorts of mechanisms which are provided in later clauses rather than through this mechanism.

I must emphasise that in practice the Opposition, when in Government, appeared to have behaved somewhat differently from the way it suggests this Government should behave. I remind the member for Cottesloe of the functions of the old Western Australian Urban Lands Council, which was established by the previous Government in 1975. Its functions were -

Ministerial Advice

- (1) To advise the Minister on
 - i) supply, demand and price of both developed and undeveloped urban land in the Metropolitan area and certain regional centres, principally for residential purposes
 - ii) initiatives which can be implemented to overcome constraints or take advantage of opportunities identified in (i) above.

Influence Supply and Price

- (2) To influence the availability and price of land for current and future urban development by physically providing land for residential and ancillary commercial, social and recreational needs.
- (3) To efficiently and effectively manage, develop, market and allocate land resources to ensure an adequate supply of land is available for low to moderate income first home buyers, at a reasonable price, in a range of localities (in accordance with Government policies and objectives).

Agency Role

- (4) To undertake planning, development and marketing of Crown land which is surplus to requirements so as to maximise the overall benefit to the State.

Therefore, it was involved in the marketing of surplus Government land regardless of whether it was aimed at the first home buyer. To continue -

Encourage Participation by Other Organisations

- (5) To encourage private, joint venture and other investment in land development to meet as wide a range of market needs as possible.

Urban Renewal

- (6) To analyse the potential for urban renewal and revitalization projects to enhance the supply of residential land and upgrade the urban fabric in well located areas.
- (7) To implement development proposals related to urban renewal where feasible, in conjunction with relevant Government and private bodies.

Social Integration

- (8) To provide development lots suitable for the requirements of Homeswest clients to facilitate the Government's policy of social integration.

The functions of the Urban Lands Council were much more ambitious than those of the proposed authority whose combined role will be that of a supplier of residential and industrial land in a way which will encourage commercial and industrial development in Western Australia. It will concentrate on development in regional centres like Northam. Therefore, it will need the general protection which this agency seeks to have and which the previous Government gave to the Urban Lands Council. The appropriate way to constrain its ability to compete in the private sector is a matter of Government policy and direction. I assure members that its role will be to not compete openly at all levels, but to act, as has been suggested, as the weight which evens out the peaks and troughs.

Mr Lewis: You know what you said about rhetoric a while ago!

Mr D.L. SMITH: All I can say is that rhetoric should be judged by performance and when one looks at the Opposition's rhetoric and performance when it was in office one sees there is a difference between it and this Government.

Mr Lewis: That was nine years ago.

Mr D.L. SMITH: It is longer than that. We still must be judged on future performance after this legislation is put in place. There is ample reason for its being a Crown agency. If it is not, it will be subject to all State and Federal Government legislation and to all Government taxes and charges. When it is in the business of trying to develop industrial land, especially in non-profitable areas in country regions, those weights in its saddle will probably prevent it

from doing anything in the country and it will stay in the profitable areas in the metropolitan area. That is certainly not my intention, but it may be the intention of the member for Applecross and the member for Cottesloe; I certainly hope it is not the intention of the National Party members.

Mr C.J. BARNETT: I will comment on what the Minister said because it is an extreme example of commercial naivety. He is saying that we should exempt this authority from the taxes and charges which apply to private developers to enable it to be in a position to compete. If it is operating in areas of the market which include private developers, it is clearly a subsidy. The Minister is saying either that it is appropriate to have an unlevel playing field and that the Government land developer is subsidised or that the private land developer is charged accordingly to allow him to compete. All he is saying is that the Government land developer, this proposed authority, will have such inefficient management that it will not be able to compete on a level playing field.

The Minister shakes his head, but he has not made any sense. The Minister refers to areas of potential social need and he cites country towns where there will be no private land developer, and I accept his point in that regard. I also accept that it will apply to broad acre land banking operations and may well apply to commercial land which is retained for use and is held by the agency. It would be far more honest to levy all the taxes and charges on the authority and if the Government makes a social decision to subsidise and encourage land development in country towns it would be far more appropriate to make an appropriation out of the Consolidated Revenue Fund to meet those costs. Everyone would then know what the Government is doing. The Government is proposing a typical underhand trick.

The Minister is using a soft, socialist argument to point out a few examples of poor development in country towns. He will take prestige developments like Mt Claremont and Rocky Bay, where land is selling for \$150 000 a block, and will exempt Government agencies from the necessary charges; he will then say that the Government is doing a good job by competing. The truth is that on a level playing field the Government would not be able to compete and it should not be in that business.

Mr D.L. SMITH: The member for Cottesloe needs to be in Government to understand what it means to become dependant on Consolidated Revenue Fund funding. It means that the proposed authority will have to compete with other authorities for funding. In essence it means that it very often will not receive that funding even though it feels that it should be developing in country areas. What will happen when it does not receive Consolidated Revenue Fund funding is that it will develop only in areas which are profitable and not in areas which are unprofitable. Where that occurs it will be to the disadvantage of country areas.

Several members interjected.

Mr D.L. SMITH: It is a simple statement of fact. If members opposite want to look at the experience of the Industrial Lands Development Authority and other agencies to ascertain how much development they have been involved in in country areas they will find that basically the reason for their non-involvement is that they have sought to be profitable. They have been profitable by staying mainly in the metropolitan area and undertaking selective developments rather than undertaking developments which are in the best interests of the Western Australian community. I hope this agency will not do that. It will not be competing. The competition which will occur in the metropolitan area will be incidental to its function of trying to act as a balance in evening out the troughs and peaks of land supply to make sure that the land continues to be available at a reasonable price.

Mr C.J. Barnett: You have created that all by yourself.

Mr D.L. SMITH: I hope that when the Neerabup amendments come to this House for approval members opposite are conscious for the need for future residential land supply. The Hepburn Heights, Cedar Woods, Thomsons Lake and Canning Vale development proposals have been opposed by the Opposition and that is what has led to the restricted land supply in this State. I hope that the Opposition will accept some of the responsibility and blame for the consequences.

Mr LEWIS: The Minister gave away the weakness in his argument in his opening remarks on the amendment. He said, "We are in two minds about it. We do not know whether this should be an agency of the Crown. It was something we had to make a decision on."

Mr D.L. Smith: That is not what I said.

Mr LEWIS: The implication was that the Minister was in two minds and unsure about the matter. The weakness in the Minister's argument was why the Western Australian Land Authority should be an agency of the Crown. The Minister makes the weak excuse that this power appears in the Industrial Lands Development Authority Act and that if it is good enough for it to be in that Act it is good enough for it to be in this Bill. It does appear in the ILDA Act and will remain in it if we are successful in removing the repeal of the ILDA legislation from this Bill. The Minister should understand that a good reason existed for ILDA to operate; that is, its dedicated purpose was to assist the industrial development of this State by seeking out industrial sites and taking into account the rationale behind the possession of those sites.

One cannot merely put industrial sites wherever one pleases; specific criteria exist for their siting. For that reason alone ILDA needs resumptive powers and the cloak of the Crown around it. However, one should also look at the Joondalup Centre Act because under section 12 when the corporation was established it was not to be representative of, or a servant or agent of, the Crown. Therefore, the Joondalup centre legislation does not provide it with the privileges of the Crown. The Joondalup Development Corporation has been more than successful in its activities in recent years. Despite that the Minister launched the weak excuse that this new agency will be unable to operate at a profit in country areas and therefore will require the shelter provided by its not having to pay rates and taxes, stamp duty or other business expenses that its competitors have to pay.

Land developers operate in Bunbury, Collie, Kalgoorlie and other parts of the State. Why should they have to compete against the Crown when it has the ability to develop land using false accounting premises under which it totals costs and is exempted from rates and taxes, stamp duty, financial institutions duty and taking into account provision for income tax? It can come up with a bottom line figure and say, "That is what it costs us and that is what we will sell it for." That is a false cost. It is fallacious to say that protection is needed in country areas. The Minister is trying to sucker in the National Party members by saying that if this amendment is refused that will impact on country areas. That is a shallow and weak argument. The bottom line is that if this agency is to operate in the country - where I believe it will and should operate - it should take over the duties of the Department of Land Administration. If the Minister were honest he would tell this Committee that that is the Government's intention because he gave that away earlier when he said that DOLA was responsible for the protection of Crown land. I agree with that statement.

If I read the implication in what the Minister said correctly, he was suggesting that urban development in country towns be done by this authority. I believe that is the intent because the legislation provides an ability for the Minister to vest the rights enshrined in it in the authority. The Minister should be honest and say that this authority will take over DOLA's responsibilities in country towns for bringing forward urban land. If the Minister wants it to do that, and if this agency is to operate on a level playing field facing the discipline of having to make a profit in the same way as every private sector developer, why should those profits not go sideways and be used to subsidise development in country towns? Crown exemptions are not needed to do that as it relates to a policy decision of Government. All the Minister need do is direct the agency to pass the profits it makes in other areas sideways to subsidise provision of urban land in country towns. The Minister's argument is particularly weak and does not hold water.

The Minister has suggested that guarantees are needed and that as an agent of the Crown this body has an automatic guarantee. If, as an agency of the Crown, this body were not paying its bills or honouring its obligations it would be a pretty poor agency and an embarrassment to the Government, which would have to come before this Parliament and defend it for not doing the proper thing in the commercial world. That is the weak argument related to the cloak of the Crown involving guarantees given by the Crown. It does not stand up to scrutiny.

The Real Estate Institute of Western Australia and the Urban Development Institute of Australia WA Division Inc are nervous about this clause, and for a good reason. As the member for Cottesloe quite properly said, probably only four or five principal private sector operators developing urban land are now in business whereas 15 or 20 years ago 20 or 30

such developers were in business. One must look for the reason for the demise of those private sector urban developers in recent years. The bottom line is that agencies such as Homeswest and LandCorp have been out there competing with private bodies while not taking into account the real trading situation; for instance, that they do not pay tax. They therefore operate from a preferred position and as a result have driven operators out of the market who until recent years did an excellent job in the competitive field of urban land development for the benefit of all Western Australians. I suggest this agency's not operating as an agent of the Crown will impose a natural discipline upon it as it will have to take all costs into consideration when doing its accounting.

Mr D.L. Smith: As a consequence it will not do any development.

Mr LEWIS: Can it not compete with the private sector? Is that what the Minister is saying? We must have an agency that can compete. This agency will operate against private sector developers who do not have a chance in the world of competing; that is what the Minister just said. The Opposition is strong on this amendment and will take it to the wire. If necessary it will be applied in another place, so the Minister should rethink the whole mode of operation of this body and his intent regarding its operation.

Mr D.L. SMITH: The member for Applecross conveniently forgets that the Joondalup Development Corporation is exempt from rates and taxes. It received a very large land grant at its inception and that is the reason it is now operating profitably. The Industrial Lands Development Authority has the protection of a Crown agency. I repeat that it is not the intention of the Government to compete unduly with private enterprise in the metropolitan area but simply to act as a balance to even out the troughs and peaks. However, I certainly want the Western Australian Land Authority to operate in country areas. If we do not give it this sort of protection it will have to operate in a prudent and conservative way, and that sort of prudence and conservatism is why ILDA and LandCorp have not been in country areas enough in the past.

[Questions without notice taken.]

Sitting suspended from 6.00 to 7.30 pm

Mr DONOVAN: One thing that disappointed me about the Minister's response in defence of subclause (5) is that he was trying to argue with the Liberal Party a Liberal Party position. The thing that I find exciting about subclause (5) is the same thing that I find exciting about the general thrust of the Bill, even though I will be proposing a couple of amendments; that is, that it is out of the traditional Labor stable. The Minister found himself in the trap of arguing on the basis of free market economics which, of course, the member for Cottesloe unapologetically and assertively supports. I do not support that view and the beauty about this clause and specifically subclause (5) which the member for Applecross seeks to delete is that it says equally unapologetically that this is an agency of the Crown. I refer the Minister and Opposition members to the second reading speech of the Minister for Lands -

The Western Australian Land Authority is to be established as a Government agency which will complement private sector land development activities, not compete with them.

I am not sure that I would not want it to compete but that is the Minister's view and I am happy to support that view. Further, the Minister proclaimed in his speech quite properly the purpose of the Bill -

The purpose of the Western Australian Land Authority is to provide land, infrastructure and associated facilities to meet the social and economic development needs of the community. To achieve this purpose the Western Australian Land Authority will acquire, plan, undertake, promote and coordinate the development of land in Western Australia, having regard to Government policies and objectives.

The speech then refers to the functions of the authority which includes -

(d) in undertaking these functions, achieve and maintain self-sufficiency.

I do not think it would be appropriate for us to say, as the member for Cottesloe would say, that for the Minister to achieve what social objective might peripherally be associated from time to time with land development in this State, he should come back to the Parliament or go to the Consolidated Revenue Fund for funds that he might require. The purpose of this

Bill in its entirety and certainly in relation to this clause is to achieve certain things on behalf of the taxpaying community of this State and I happen to be one of those old-fashioned people who reckon it is a fair thing for the taxpayers of this State to be protected in some way. I am one of those old fashioned people who reckon there is a very clear role for Government in the planning, development, coordination and provision of land, and that it will need certain protection to do so in a market economy. Of that there is absolutely no doubt.

Mr C.J. Barnett: Why should a buyer of low cost land cross-subsidise the purchase of high priced land because that high priced land is sold by a Government agency? That is the implication of what you are saying.

Mr DONOVAN: That is not an implication of my comments. That is a view the member for Cottesloe put articulately and quite well. I respect that view, but I do not agree with it. The converse is true; for example, developments such as my constituents in Beechboro have been fortunate to gain from, and those they will be privileged to gain from in the development of Lockridge - if the Minister for Housing is as good as his word - must be resourced and funded. Those developments cannot depend upon a Government's willingness or ability to go to the Consolidated Revenue Fund once a year for a handout. Of course, it must be done on a business basis. Although I understand - and will seek, along with the member for Applecross, to strengthen this legislation in places - that the fears generated by the Opposition and other people in this State about this kind of legislation arise from the experience of the so-called WA Inc activities, I stress that the problem with those activities was not one of the public sector involving itself in production, exchange and the marketplace; it was the lack of accountability to this place and the community. The problem was never one from my point of view of the proper or appropriate role for a public sector in economic activity in this State; it was what happened in the experience. It was a problem of accountability, of cronyism, and all those things at which the Royal Commission and others have been looking. That is not properly addressed by saying that because we had a problem with accountability, we will push the public sector out of the marketplace altogether. That is not an appropriate response. It is appropriate, particularly in an area so crucial and basic as the provision of residential and commercial land - I stress commercial and industrial - and very much in the interests of the Western Australian taxpaying community to be involved in a directing, controlling and coordinating way through its elected Government. To do that of course it must have some protection. It has never been the case - certainly not to my knowledge in this State - that a Government of the left or right, undertaking activities in the economic arena would be expected to do so in the totally unprotected, free atmosphere of the so-called level playing field marketplace. First of all, the level playing field is a myth. Governments have never been expected to operate in the economic environment without some sort of fairly basic protection, given the strictures imposed on their operations by other means. The problem with experience in this State has been one of accountability. That will be addressed by both the amendments proposed by the member for Applecross and some which I shall move to this legislation, where they have not already been built in by the Government.

The arguments put by the member for Cottesloe in support of the deletion of subclause (5) in my view are not supportable objections. I had hoped the Minister would put his defence of subclause (5) more strongly. I understand the strictures under which he is working but in this case as far as I am concerned those protections for the taxpayer provided by subclause (5) are basic and essential, and they certainly form an integral part of this Bill. I support the retention of that subclause.

Mr D.L. SMITH: I welcome the support of the member for Morley, for whatever reason it is given. However, I do not want to leave the Committee with the impression that this is an old fashioned Labor agency. We must be extremely careful with land development that the Government's role does not have the effect of driving private developers from the industry. To that extent there cannot be unduly unfair competition by the Government agencies, or too much of a role when it is not required. For that reason I need to stand by my previous defence of this clause on the basis of its role in relation to industrial land and country land development. At this stage I respond to two issues raised by the members for Cottesloe and Applecross. One referred to the role the authority will play in relation to DOLA and its land operations in country areas. It is true that in the past DOLA has played an active role in

producing land in country areas. I imagine that role will continue. However, there will be opportunities for this new authority to acquire broad acre land from DOLA and perform some of the land development that DOLA carried out in country areas in the past. In general terms, certainly in areas with any element of competition, there is a need for it to be done through this agency rather than through DOLA. With regard to the gross number of lots created in Western Australia by various Government agencies, there must be some addition of the figures used by the member for Cottesloe from the DOLA figures. I do not suggest there is any intention to absorb all DOLA's land development operations, but there will be some occasions for looking at that. In addition, an opportunity arises to look at some of the other Government agencies that may be involved in land development to determine whether similar things could occur with regard to this agency buying the broad acres, and doing the development, subdivision and marketing of the land. It must be done in a very balanced way. However, I am not so pessimistic as members opposite about the number of private developers in the market at this stage.

Mr C.J. Barnett: Talk to the industry.

Mr D.L. SMITH: I do, on a regular basis. We must look at the membership, which is certainly much greater than suggested by members opposite. We must also bear in mind that their numbers are influenced not just by competition from the Government, but also by the recession, profitability, and, in some cases, bankruptcy of some of the people involved in private land development in the past. That occurred because of high interest rates, the impact of the recession, and falling demand when people had relatively large numbers of lots in a developed state or in the process of development. As a result of the recovery a number of private developers - at least those who have not gone bankrupt - are coming back into the market.

Mr Shave: What recovery?

Mr D.L. SMITH: Look at the latest registration figures.

Mr C.J. Barnett: Registration for what?

Mr D.L. SMITH: The registration of land at the Land Titles Office. The actual registrations are increasing at the rate of \$50 million a month. Certainly there is evidence of a strong resurgence in demand. There is the risk that if something is not done with regard to land supply, that will lead to higher land prices. I am not as pessimistic as are members opposite, for two reasons: Firstly, the private development industry by its nature does not develop land and then hold it in stock. It tends to develop land as the demand dictates.

Mr Lewis: It cannot afford to.

Mr D.L. SMITH: Yes, but it will also lose profit by doing so.

Mr Lewis: It is the same thing.

Mr D.L. SMITH: Yes, but that is the reason that it simply stops developing in times of recession and restarts developing when recovery occurs. The latest statistics from the Land Titles Office and the Department of Planning and Urban Development in respect of new lots created in the first three months of this year indicate that there is a positive trend of private developers coming back in and putting lots back into the land stock. The figures that are being quoted are really recession-based figures and not the figures which are now evidently flowing through. That is not to say that it is not a finely balanced situation. Two things need to happen: Firstly, the issues which have held up a great number of residential developments must be resolved. Secondly, people must be encouraged to come back into the industry, both through the extra profits that occur in the good times, and by ensuring that the activities of the Government are related to ironing out the peaks and troughs and not seeking to exacerbate those peaks and troughs. To that extent, it is a difficult exercise to assess what should be the proper level of Government activity, because it is very much a chicken and egg argument. If the Government simply walks away from the situation during a time of low demand, in effect no lots are created. The member for Cottesloe is quite right. In the last six months of last year, the Government was creating between 50 per cent and 60 per cent of all lots which were coming onto the market, but had it walked away from its role at that time, the numbers would have been much worse than they are being portrayed at present.

Mr C.J. Barnett: You do not understand that the Government's share went up, partly because

of Government intrusion, but also because of the decline in total supply. The two factors are not unrelated.

Mr D.L. SMITH: The latter factor is important. The total number of Government lots being created did not rise dramatically. The total number of lots being created dropped dramatically, so the Government's share of the total increased substantially, even though the actual number of lots was not increasing dramatically. The trick is to ensure that the role of the Government is to iron out the peaks and the troughs and that we do not preoccupy the market to a degree where we discourage people from going in. We must be in the market in times of recession because that is the time when industry will not be there. However, as the economy picks up, we should not pick up our own land supply to meet that demand; rather, we should encourage the private sector to pick up as much as it can of the extra supply which is warranted by that increased demand. It is a very finely tuned exercise, and if we make a mistake either in the level of Government activity or in the number of rezonings and the like that DPUD is able to achieve, we can get quickly into an under supply, and that is when prices will run away.

The one aspect on which I support the member for Morley strongly is that it should not be a philosophical approach from the other side which says that in all circumstances and at all times, the Government has to compete on a level playing field. The primary objective of the Government's involvement is to even out the peaks and troughs. To that extent, the Government should not be seen to be competing with the private sector because its role is not to compete but simply to moderate the supply and demand to suit both the public and the private sector in its supply and development exercises. To that extent, the issue of the level playing field is not so critically important as is moderating the Government activity in an appropriate way to respond to what is happening in the general economy and to do so in a way that still encourages private developers to stay in the industry and contribute to the overall supply, because there is no hope that the Government on its own will meet the total demands which are likely to arise out of a recovery, particularly if there is a further reduction in interest rates tomorrow as a result of the consumer price index figures. I emphasise that although I welcome the support from the member for Morley, in the end result the Government's objective is not to be a land developer per se but simply to be in the market to ensure that supply is moderated in a way that keeps prices down and acceptable to the buyers.

Mr C.J. BARNETT: I am totally confused by the Minister's comments. The Minister stated in his second reading speech that the objective of this Bill was to facilitate a coordinated and integrated program of urban development and land supply. We took that as meaning that the Government was trying to rationalise its activities by merging some authorities. We happen to think that the Government has not merged all of the appropriate authorities, but the member for Applecross and I have conceded that there is a social role for the Government in land supply at the lower end of the market. We can argue about how that is best done, but there is no question that there is a social role. We made the point also that the Government has a land banking role, and we have no embarrassment about the Urban Lands Council that was set up specifically as a land banking organisation and which proved for a time to be fairly successful. However, the Minister has now told us that the objective of this authority is to iron out the peaks and troughs in land supply. I will give the Minister an opportunity to correct me if I am wrong, but if the objective of this legislation is to smooth out land supply, then let us go back and start the debate again because it is a completely different debate; and we will have that debate about the Government's ability to beat the market. The Minister for Housing is glancing over because he has done a better job than did his predecessor in beating the market in property speculation. If we are talking about property speculation and beating the land market to smooth out peaks and troughs, then let us debate that, but I thought this Bill was about a totally different proposition. Perhaps the Minister can clarify what the Bill is about.

Mr D.L. SMITH: The Bill is about reducing the number of Government agencies involved in land development. The second role of the legislation is for the Government to be in the market for urban development and influencing land supply. The last section of my remarks about this clause focused on the issue of the authority's role in relation to residential land supply. The additional role that the authority will have in country areas in particular is to supply land where that land would not otherwise be supplied and, secondly, through the

integrated functions of industrial land development, regional centre development and residential land supply, to encourage development in those areas where it is unlikely to occur through private development, but only where the Government has a strong role.

Mr C.J. Barnett: I will cop that. If one of your objectives is to smooth out the troughs and booms in the land market, then surely on that ground alone you must include Homeswest because that comprises 72 per cent of Government urban residential land. If you do not include the biggest player, what chance do you have of smoothing out the market? If you include Homeswest, you will at least have a chance.

Mr D.L. SMITH: I have pointed out already the problem with the R & I Bank Ltd and with Homeswest. I imagine that it will be impossible to merge the R & I Bank Ltd with this operation. It also will not be possible to merge the general operations of Homeswest with this activity simply because Homeswest receives Commonwealth funding. There is probably a role for Homeswest in respect of its land holdings and whether this agency should have any role in respect of buying or joint venturing some of the Homeswest land holdings.

Mr C.J. Barnett: You mean Homeswest clearly as a land speculator, because it is a truism that the only way you can smooth a market is to buy in the trough and sell in the peak; in other words, speculate. I do not mind that role, but are you telling us that Homeswest is a land speculator?

Mr D.L. SMITH: That is nonsense. The way in which one smooths the market is to be a constant presence in the market, so that if in the good times we produce 4 000 lots a year and in the bad times we produce 4 000 lots a year, then inevitably we will comprise a smaller part of the market in boom times and a larger part of the market in recessionary times. It smooths out the numbers. We must be a constant landholder of broad acres at all times so that we can alter our performance in relation to these matters. In times of short supply when the private sector withdraws from the market the Government must be present, through this agency, increasing the supply. In the good times when the demand is strong but there is an active supply by the private sector all the Government must do is hold its position, or increase it if demand starts to outstrip supply. That is a difficult role. It becomes very difficult to assess exactly what level of support the agency which is meant to supply constant numbers and to hold the broad acres can provide so it can move when it needs, and to have the appropriate zoning, when that agency must be treated in the same competitive spirit as one which comes in only when it is profitable, as does the private sector. It is an unfair burden to make it compete equally with the private sector and at the same time say that it should stay in the market when it is unprofitable, when the private sector withdraws, because the burden the Opposition seeks to impose will be there in both good and bad times. Its capacity to stay in bad times with a constant land supply will be weakened if the Opposition seeks to add things to make it run at a loss in order to stay in the land supply situation. It must be recognised that in this case of the combined agency we are talking not only about a residential land supplier but also an industrial land supplier, and about a regional centre developer. The latter is extremely important for country areas. Indeed, the industrial land, residential land supply and regional development aspects are important in country areas because they are the areas to which the private sector will not go at any time because the profits are not there. They will not be there until a big enough population exists to develop a mature market. Once that occurs we can start to withdraw. That is the reason the role of the agency will be different in Bunbury and Geraldton from what it might be in Northam or Collie.

Mr Lewis: Collie has a very good private sector market.

Mr D.L. SMITH: It does not.

Mr Lewis: I will introduce the Minister to a fellow who has done all right.

Mr D.L. SMITH: The role of the Department of Land Administration in Collie has been critically important, as has the role of Homeswest. This is not about some Government monopoly. It is not about some mega corporation which has the hallmarks of the Western Australian Development Corporation. It is simply taking the old Urban Lands Council under the same brief as the Opposition used to give it, the Industrial Lands Development Authority under the same brief the Opposition used to give it, and an agency such as the Joondalup Development Corporation under that same brief, and combining them in one agency so that we will develop an agency which over time will start to reduce the importance of DOLA,

Homeswest and the other Government agencies which cannot be absorbed with this agency because of their other functions: It must exclude DOLA with its general position of managing all Government landholdings in Western Australia; Homeswest because of its focus on building and providing accommodation and keeping up the land supply; and the R & I Bank because we cannot absorb a bank into this type of organisation. The member must take a balanced view rather than the strong philosophical view the Opposition takes or that which causes the member for Morley to support this course.

Mr LEWIS: I should return debate to whether the Western Australian Land Authority is an agent of the Crown with the same privileges, status and amenities. I should explain to the Minister what the Opposition is trying to do. The Minister stated that because WALA will embrace the Joondalup Development Corporation and the Industrial Lands Development Authority it must have the privileges of the Crown. The thrust of the Opposition's amendments is to remove from the legislation WALA's jurisdiction over the Industrial Lands Development Authority and the Joondalup Development Corporation. That would leave LandCorp as it currently exists under the Western Australian Development Corporation legislation. The Opposition sees no need for a revamp of LandCorp to receive the rights and privileges of the Crown. That is fundamentally where we differ because the Minister is trying to capture the lot. We do not need to do that. We need a piece of legislation under which a land agency can operate principally for the development of residential land; it must operate without any privilege, without any leg up, in competition with the private sector.

Subclause (5) refers to the exceptions provided in clause 14. That is, the Western Australian Land Authority would need to abide by the legislation as specified: The Local Government Act, the Metropolitan Region Town Planning Scheme Act, the Town Planning and Development Act, the Aboriginal Heritage Act and the Mining Act. The authority is not bound by all the other Acts of this State because the Government specifically includes only the five Acts. My further amendment will state categorically that the Western Australian Land Authority will operate under the jurisdiction of all Statutes of the State. Perhaps the Minister should reflect on the reason he proposes to hook out five specific Acts. Does it mean that the authority will not be bound by all other Statutes? The Minister should address that point. His argument so far has been particularly shallow.

I suggest that the intent of the legislation follows a similar course to that of the East Perth Redevelopment Authority. That authority does not have that privilege; it is not an agent of the Crown. As I understand it the East Perth Redevelopment Authority will operate with the same status as any other agency or any other private developer.

Mr Donovan: I refer the member to section 6(3) of the East Perth Redevelopment Authority legislation.

Mr LEWIS: It does not have those privileges.

Mr Donovan: Those privileges are implied, are they not? It is an agency of the Crown.

Mr LEWIS: I accept it as an agency of the Crown because the Crown owns it, but I suggest to the member for Morley that because it is not specifically pointed out that it enjoys that privilege and status, perhaps it does not have them. It is an agency of the Crown by the fact of its establishment. I do not have a legal mind so perhaps the Minister can explain that.

When the Opposition was considering this legislation it was in two minds whether it would be better to have an authority or a ministerial department.

Mr D.L. Smith interjected.

Mr LEWIS: The Minister has made the point that it would become just another department and, without reflecting on the Public Service, my colleagues and I were of the opinion that it would be smart to have a board drawn from outside of Government to direct and run the agency. If the body were under a department or Minister one could have a ministerial advisory committee but it would not have the necessary autonomy as the Minister would have the authority. The Opposition drew back from that and accepted that it would be better to have a separate authority. I emphasise to the Minister that he cannot have the best of both worlds. If it is to be an independent authority such as the Joondalup Development Corporation, the East Perth Redevelopment Authority or the R & I Bank, why have the cloak of privilege? The Minister has not adequately answered that question today. I was interested to hear that the Minister believes that the development of urban land is not the function of the

Department of Land Administration. If the Opposition were to come to Government there would be a ministerial directive that DOLA should not get itself involved in the development of urban land. Over the years it has not done a particularly good job, mainly because it has been under-resourced. The development of urban land is a specialist commercial business and should be handled by people who have the particular expertise and disciplines. If we are to have an independent, autonomous Western Australian Land Authority it should operate without any leg up, privilege, or advantage as a truly commercial discipline in a commercial market. It is not the function of the Government to be involved in business. Business operates to facilitate with society, not to compete with it. I draw the Minister's attention to the disasters that befell this Government when it tried to operate in the market. That should be a timely reminder to the Government.

Mr D.L. SMITH: This Bill will amalgamate three agencies, one of which clearly has Crown immunity and one which probably has Crown immunity. The primary differences between us as to what the new authority should do has resulted in the arguments mounted on both sides for the need for Crown immunity. Crown immunity is necessary because of the industrial land development role, particularly in country regional centres where it is necessary to provide that protection. Certainly the Opposition understood and accepted that requirement for ILDA and was quite happy to give it that protection. The East Perth Redevelopment Authority does have Crown immunity and the words used in the ILDA legislation are the same as those used in that legislation.

Mr Lewis: That slipped through.

Mr D.L. SMITH: The member for Applecross misunderstands Crown immunity. It makes the Crown immune from a number of obligations. However, when this Parliament legislates it often makes the legislation apply to the Crown in the same way as it does to anybody else.

Mr Lewis: Not always.

Mr D.L. SMITH: No, but it does in many cases. In those cases Crown immunity stops and the agency must comply with that legislation. That is the position with the Environmental Protection Authority and that is the only reason that it is not included in this clause. On the other hand other legislation purports not to bind the Crown.

Mr Lewis: The Town Planning and Development Act has a clause that binds the Crown, yet the Minister for Lands specifically includes such a clause when it is not necessary.

Mr D.L. SMITH: I emphasise that legislation which of its nature provides that it does not bind the Crown needs to be specifically included because of the Crown exemption. The real objective of clause 14 should be to ensure that where the legislation currently does not apply to the Crown, it does apply to this agency. We are not seeking the normal style of immunity, but immunity subject to the restrictions outlined in clause 14.

Mr Lewis: Why not have a blanket clause?

Mr D.L. SMITH: For the reasons about which we have been arguing both before tea and now. It is my view that, because of the authority's industrial land and regional development roles, on many occasions it will operate in non-profit areas where the element of competition is not important; so it needs this immunity. The member for Applecross must appreciate that if the Crown immunity is removed the authority would become subject to such legislation as the Corporations Law, the Trade Practices Act and a whole range of legislation which is controlled not by this Parliament but by the Federal Parliament.

Mr Lewis: Other people are faced with that.

Mr D.L. SMITH: The member for Wagin understands that this agency will be doing work in areas where there is no competition because there is no profit. The member for Wagin knows and I know where those other areas are. They may not be of any interest to the members for Cottesloe and Applecross but they are of vital interest to me, the member for Wagin and the member for Avon.

Mr C.J. Barnett: It does not say much for consumer protection if the Government is going to go against the Trade Practices Act.

Mr D.L. SMITH: It is not a question of consumer protection but whether this agency can do the job which the Government is setting up for it. There needs to be a Crown agency to be

able to do that job and to establish itself and the appropriate way is on the basis that it is a Crown agency. We should examine the basis upon which that Crown agency operates, and the constraints and controls which make it subject to particular Acts or the sorts of provisions the member for Applecross is talking about, including the payment of rates and taxes. That is not to say that I will support the member for Applecross on rates and taxes. The appropriate thing to do is to clearly identify the constraints and set them out in legislation rather than put the authority in a position where it must increase its losses in the non-profitable areas or where people ask for Government guarantees.

Mr Lewis: They pay only after they sell the land.

Mr D.L. SMITH: In the end it comes back to what is perceived to be the role of the agency. The member for Applecross is simply perceiving the role as picking up LandCorp's current role. That achieves nothing in reducing the number of Government agencies involved in land development and does not achieve any efficiencies that can result from agencies being accommodated by common reception areas, sharing data banks and services provided by the planners and others in the one agency rather than having specialist people in three different agencies. The member for Applecross may say it does not go far enough in absorbing a number of other Government activities, but that is a question for the future. It needs this provision if it is to absorb the Industrial Lands Development Authority and the Joondalup Development Corporation and have a regional and a subregional centre development role as well as a residential land supply role in country areas. Given that it has Crown protection, the Opposition should concentrate on what other controls must be included in the legislation to assuage its other concerns.

Division

Amendment put and a division taken with the following result -

Ayes (21)			
Mr Ainsworth	Mr Cowan	Mr Nicholls	Mr Watt
Mr C.J. Barnett	Mrs Edwardes	Mr Omodei	Mr Wiese
Mr Bloffwitch	Mr Grayden	Mr Shave	Mr Bradshaw (Teller)
Mr Clarko	Mr Lewis	Mr Trenorden	
Dr Constable	Mr MacKinnon	Mr Fred Tubby	
Mr Court	Mr McNee	Dr Turnbull	
Noes (23)			
Mr Michael Barnett	Dr Gallop	Mr Pearce	Mr Taylor
Mrs Beggs	Mr Graham	Mr Read	Mr Thomas
Mr Bridge	Mr Grill	Mr Riebeling	Dr Watson
Mr Catania	Mr Leahy	Mr Ripper	Mr Wilson
Mr Cunningham	Mr Marlborough	Mr D.L. Smith	Mrs Watkins (Teller)
Mr Donovan	Mr McGinty	Mr P.J. Smith	

Pairs

Mr House	Mr Gordon Hill
Mr Blaikie	Mr Troy
Mr Kierath	Mrs Henderson
Mr Strickland	Dr Lawrence
Mr Minson	Dr Edwards

Amendment thus negatived.

Clause put and passed.

Clause 5: Board of directors -

Mr LEWIS: While the Liberal Party has no argument with the number of persons to be appointed to the board of directors, it does have argument with the manner in which they are to be appointed and, perhaps, the disciplines which those board members would require if they are to carry out their functions as board members of the Western Australian Land Authority. I move -

Page 5, line 21 - To delete "the Minister." and substitute the following -

the Governor on the recommendation of the Minister, of whom five shall be persons each of them having in the opinion of the Minister, knowledge of and experience in any of the fields of town planning, housing, industry, commerce, finance, engineering and land development.

This amendment will restrict the Government from salting the board with a bunch of cronies who are owed jobs. The Minister may shake his head and think that I am being cynical again, but the hard, cold fact is that this Government's record does not stand proud on the basis of its appointees to various boards and agencies of the Government. While in the normal course it may not be necessary to stipulate various disciplines or credentials for prospective members of the board, nonetheless the Opposition has learned by example that there is a need for that. A Minister who is carrying out his functions properly and who truly believes that the board should operate commercially and that its functions and brief are prescribed by the passage of this legislation may of his own volition head hunt the appropriate people with the necessary spectrum of qualifications and disciplines and make those appointments in due course. I do not want to reflect on the integrity of the Minister for Lands, but one must remember that he will not always be the Minister. Perhaps a member on this side will one day be the relevant Minister; he certainly would not want clause 5 to remain in its current form. Members on this side have learned from experience that legislation must spell out that certain qualifications are required of nominees to a position. The real estate industry in its approaches to the Opposition has suggested that persons with experience should be appointed to the board of directors. It went as far as wanting to nominate a person from its industry. The land development industry also wants to nominate a person from its industry and the same applies to the Wanneroo City Council. Other organisations would want a representative from the Western Australian Municipal Officers Association and the like. Legislation should not be written in a manner which reflects on the worst aspects of previous experiences.

Mr D.L. Smith: I am pleased to hear that.

Mr LEWIS: I do believe that; I have reached the conclusion that by nominating people who may be seen to be appropriately qualified to fill these positions we could end up with a list of nominees which one could jump over. A board comprising five or seven members is well balanced. There is an old saying that the best committee is a committee of one, but we all know that in the long term it does not always make the right decisions. However, as far as the efficient operation of the committee is concerned, it is true. Members would be aware from their experience that the more persons involved in decision-making, the more complicated it becomes. The hard decisions are usually agreed to very quickly because only one or two persons understand the situation and have done their homework. However, when a committee discusses a simple point it finds it hard to reach a decision and often a decision is not reached.

Mr D.L. Smith: It happens in Parliament sometimes.

Mr LEWIS: It most definitely does.

I agree to a board comprising five to seven members because it will work and the proposed authority will be able to operate efficiently. My amendment suggests that five of the seven board members shall be selected from people having the range of disciplines outlined. I cannot see a credible argument against that proposition. If the Minister cannot accept my amendment I would be pleased to hear his reasons.

Mr D.L. SMITH: The member for Applecross raises two matters in his amendment: One is to require that the appointments be by the Governor on the recommendation of the Minister rather than directly by the Minister. It really is one of those things which adds a delay to the appointment, but it does not affect the appointment because, generally speaking, the Governor acts on advice of the Minister in any event. It is rare for him not to do so. I heard an argument put forward by the late Hon Andrew Mensaros that it would give an opportunity for delaying the appointment because it had to go to Cabinet and Executive Council and, therefore, it would give the Minister plenty of time to contemplate whether he was doing the right thing.

Mr Lewis: It was a good argument.

Mr D.L. SMITH: It is one with which I do not disagree, but it is rare for a Minister to change his mind after a matter has gone to Cabinet or Executive Council.

The question of qualifications is one of those things which is six of one and half a dozen of the other. The list of qualifications is probably appropriate, but in any event from the way in which the amendment is phrased the appointment can be made at the discretion of the Minister. The problem is whether the list of qualifications is long enough.

Mr Lewis: It applies to only five of the seven.

Mr D.L. SMITH: The question is whether we require that of five of the seven members of the board and whether we can do some of the things we wish to do. The preference of the City of Wanneroo would be to have two representatives on the proposed Western Australian Land Authority board. I have been in the position of recommending that it nominate one representative. Members must bear in mind that the authority may want to go to Northam, or somewhere else, to support a regional development and no doubt the local authority in that area would want a representative on the board. We could reach a stage where the number of people required to satisfy those demands is three or more and we would not be able to comply with this provision. Some of the developments are specialist developments in the port, agriculture or transport areas and a high degree of knowledge is required. The authority might like to appoint someone to the board who has the appropriate expertise to work in those areas. By having a descriptive list of qualifications we are running the risk that it may not be long enough. As I said, it is one of those things which is six of one and half a dozen of the other and if the upper House adopts a different view from mine I will reconsider my position when the Bill is returned to this place.

Mr TRENORDEN: The Opposition has moved an amendment to include certain qualifications which are to be required of the people who are appointed to the board. The National Party wishes to amend the Opposition's amendment. Many people in rural Western Australia are keen to bring some aspects of regional development into planning. Obviously, regional development covers a wide range of activities, including industrial parks and urban type activities. I foreshadow the following amendment to the amendment -

Page 5, line 21 - To amend the amendment by inserting after the word "engineering" the words "regional development".

Mr DONOVAN: The Minister has said that he does not feel strongly one way or the other about this amendment. I take his point that were the amendment moved by the member for Applecross rejected and then changed in another place he would accept that change. I agree wholeheartedly in principle with what the member for Applecross and the member for Avon seek to do. I could join the ranks of those foreshadowing amendments and mention other people I believe have been overlooked in the planning area for too long in this State; that is, people with expertise in social policy, community development, social and community planning, social impact analysis and other fields.

I also note that the compilation of the board is five but not more than seven members. As the Minister pointed out, in the end it will come down to the Minister's decision. However, it is absolutely essential we start to take on board advice from people expert in engineering, road building and the hard sciences. We should also take on board advice from those in the area of social policy. In the end, that will have to be left to lobbyists and political incumbents of the time to deal with. It is for that reason only that I am inclined to support that part of clause 5(1) that the member seeks to amend. I do that not because the objective sought by the member for Applecross is not worthy or important but because the list could go on and on.

I leave it with the Minister of the day to take on board the approaches made to him or her regarding major planning projects, believing that they will appoint people in much the same way as the Minister foreshadowed; also, that he or she will appoint people from time to time whose expertise may be considered important in a particular area. For those reasons I do not support the amendment, but will support the following amendment. I do not do this because I believe the intent of the amendment is not important, because it is. In practical terms it is probably not as workable in the end as leaving it to the politicians of the time to deal with.

Mr WIESE: I am not prepared to leave this matter to the politicians of the time because it seems there will be enough political appointments to this board, anyway. The amendment

presently before the Committee mentions a maximum of five of the seven members of the board being designated as persons of experience in a range of fields. That leaves two members undesignated.

Mr D.L. Smith: Two or none.

Mr WIESE: I would like to think it was none, but I have my doubts about that. This leaves two people who will be political appointees. I believe two political appointees to a board of seven members is sufficient. It is important that we insist that the persons appointed to the board of the Western Australian Land Authority have specific skills. It is relevant to look at the authorities we are seeking to combine in this legislation. The Joondalup Centre Act specifies that one member of the board shall be a councillor of the Shire of Wanneroo and four shall be persons each of whom has, in the opinion of the Minister, knowledge and experience in the fields of town planning, the housing industry, commerce, finance, engineering or transport. The Joondalup Centre Act spells out the skills the Minister is required to look for when making his selection.

If one goes to the Industrial Lands Development Authority legislation one sees that that is also specific in spelling out in section 6 the composition and skills of the persons to sit on that authority. One person must be a town planning commissioner, another the under secretary for lands, the third must hold office in the Department of Industrial Development, and so on. The qualifications of the persons to sit on that authority are spelt out in the legislation. A good precedent was set in both those pieces of legislation. I support the amendment because I am not happy to leave the clause open as it is at the moment.

Mr DONOVAN: I am reluctant to get bogged down in a debate about this matter. I do not disagree with the member for Wagin. I agree with the intent expressed by the member for Applecross in what he seeks to do. I ask the member to look closely at the proposed amendment which seeks to delete the words "the Minister" and insert the words -

the Governor on the recommendation of the Minister, of whom five shall be persons each of them having in the opinion of the Minister, knowledge of and experience in any of the fields of town planning, housing, industry, commerce, finance, engineering and land development.

If we add the words the member for Avon seeks to add in his amendment - "regional development" - and add the words I mentioned - "social planning, social policy, community development, social impact analysis" and so on - even if the Committee accepted the amendment the practical position would be that in the end the Minister would look at section 5 of the Act and say, "I can appoint five people provided in my opinion they have knowledge of, and experience in, any of these fields."

Mr Lewis: That is right.

Mr DONOVAN: He could appoint five accountants or five engineers, five bureaucrats or five city managers. So in the end, if I were Minister - and I will not be - in practice I would simply find myself responding to the lobbyists of the time.

There is a solution to this, but it will take some time for our State to come to terms with it; that is, the idea of a rotating board. We talked about this during a debate on the effluent disposal issue a few years ago. In this case, if we were dealing with a land development in Wagin we could include a spot for the shire president or the shire clerk; if we were dealing with some major development in Swan, likewise; and so on. I suspect it will be some time before this State is able to accommodate that idea. Certainly the machinery of this legislation does not allow for that mechanism.

Given that that is the case, with all of the weaknesses of the existing clause - and I accept those weaknesses to which members have pointed - in practical terms if the amendment is accepted the Minister of the day will respond according to the politics and lobbyists of the time. I am one of those people who reckon that we should make only that legislation which is both necessary and useful, and while the intent of that piece of legislation would be laudable the practicalities are that it simply would not be useful. On the contrary, I suspect it would make the task much more complicated than it is under the clause that is proposed in the Bill.

Mr D.L. SMITH: I repeat that this is one of those cases where it is six of one and half a

dozen of the other. The foreshadowed amendment of the member for Avon indicates the problem - one looks at the list and asks if it is long enough. We did a similar thing in the case of the East Perth Redevelopment Authority, and members may be aware that I am in the course of finalising the appointments to the board of that authority. For instance, I was looking for a chairperson, and the best chairperson I could ascertain from those who applied for membership happened to be a lawyer. I looked at the list of qualifications this Parliament prescribed and came to the conclusion that I could not appoint a lawyer to the board of the East Perth Redevelopment Authority. A similar thing happened when there were two very good community applications, one from a lady who has lived in the area practically all her life and the other from a man who has worked in what might be called community welfare areas in the district for most of his adult life. In the end, because I had to have a balance of membership, I had to choose between those two people. That is the sort of problem we encounter. One cannot guarantee that the best people will always have the appropriate qualifications. While I have no argument with the list suggested, and I certainly have no argument about including someone experienced in regional development or local government if someone wanted to suggest that, the problem is where to stop and where to begin, and to what extent one must balance the various categories. In the East Perth Redevelopment Authority Act we provided that in the end we had to have all the qualifications listed.

Mr Lewis: No, I have it here.

Mr D.L. SMITH: Section 7(3) of that Act says -

As far as is practicable the membership of the Authority shall comprise persons who between them have knowledge or experience covering all of the fields mentioned in subsection (2).

That created my problems in trying to get more community representatives. I found I had to exclude one of those two community people and the lawyer because they did not conform. I felt I was doing the Government and the State a disservice by not being able to appoint the people I thought were best suited to perform the task. As I said, it is six of one and half a dozen of the other. As the Minister I lean towards giving the widest possible discretion which, in the end, gives the best selection. For that reason the Government opposes the amendment.

Mr LEWIS: Perhaps it was remiss of me not to have explained why I have moved to delete "the Minister" and insert "the Governor on the recommendation of the Minister, . . ." This was pretty thoroughly canvassed in the debate on the East Perth Redevelopment Authority legislation and gets back to what is commonly known as Cabinet responsibility. It was to ensure that while a Minister technically made the appointment the Cabinet as a whole was also privy to that appointment. Bearing in mind some of the things that have occurred, which I will not go into now, we must reinforce the principle of Cabinet responsibility. We do not want again the situation where individual Ministers appoint their own people and the other Cabinet members say, "We did not know anything about it. He did it." Fundamentally that is the reason for this amendment: It would require a Cabinet decision to be referred to the Governor in Executive Council.

It is interesting that the Minister does not feel particularly strongly about it, yet he mentioned the East Perth Redevelopment Authority Act. Indeed, the member for Wagin cited the Joondalup Centre Act and the Industrial Lands Development Authority Act. When I was considering this amendment, and on the basis of its being canvassed by industry that as it stands virtually any person without any qualification, discipline or competence in this area could be appointed, perhaps on the whim of a strong Premier as we have seen happen previously, I thought it was necessary to stipulate that certain persons had some credentials so as to impose a little discipline on the Cabinet.

I remind the Minister of what happened in 1983 concerning the appointees to the Town Planning Board. Prior to 1983, when this Government was in Opposition, there was a suspicion that all the people associated with the Government appointments on the Town Planning Board and the independents on the Metropolitan Region Planning Authority were somehow hand in glove with the Government, the industrialists and the business people of this State and that they were to do the bidding of the Government. That was not true, of course, but certainly there was a perception within the Government that that was the fact. There was no shadow of doubt about that. As soon as the current Government came into

office, it promptly removed just about every member of the Town Planning Board and replaced them with its cronies. It is fairly and squarely on the record that the people appointed were not really competent and did not have the disciplines and experience to enable them to confidently carry out the duties required of them under the administration of the Town Planning and Development Act. Under that board town planning took a nosedive, and it is only in the past 18 months that the Government has realised that it must have the best and most competent people, notwithstanding their politics, in such positions if the State is to benefit in the long term. The Minister will recognise what I have just said; he is very much aware in his capacity as Minister for Planning that under this Government planning in this State went up and down on the spot for five or six years. It was only when the current, and perhaps the previous, Minister woke up to what was happening that things started to change.

This emphasises the necessity to have people who possess the necessary disciplines. It is not necessary to have them all; it is necessary to have five such disciplines, and, goodness gracious, the spectrum is wide enough and the Government can appoint people it wants anyway. If the board is to deal with the private sector - that is, I hope, in competition under the same conditions of business - it is necessary to have a competent board with experience in the various fields. I doubt whether BHP, Westralia Sands or Wesfarmers would go out and headhunt their mates. They would look for the most competent people who have experience in various portfolios and appoint them to the boards of those companies. In that case a balance is struck between experience and competence, and proper decisions are made around the boardroom table.

My proposal is not sinister. It is designed for the benefit of the State by enhancing the legislation. When I drafted this amendment, I lifted it straight out of the Joondalup Centre Act. In recent years that body has done a pretty good job. If I were the Minister, I would round off its board. If by this legislation the Industrial Lands Development Authority is to stand alone as a separate entity, perhaps some amendments need to be made to the legislation to round off that board to bring it more up to date. This amendment is moved in good faith.

Mr TRENORDEN: The Minister indicated that he had no great argument with the intent of the amendment. On the other hand, he indicated that he would like the reference to the Minister to remain in the legislation. The history of this State has shown that Ministers and Governments have had the inclinations from time to time to appoint people who may be of some advantage to them. In fact, we are hearing a little noise about such a situation in New South Wales where an appointment to that State's EPA is making front page news.

Mr Court: We are waiting to hear the name of a former Labor member of Parliament who does not have a job with the Government.

Mr TRENORDEN: It is rather amusing that the appointment of an ex-member of Parliament to the head of the New South Wales environmental protection body is causing such a furor, yet an ex-Premier was appointed as the Ambassador to Ireland and that did not make a lot of news.

Mr Lewis: It certainly made a lot of news.

Mr TRENORDEN: Yes, it made a truckload of news afterwards!

The Minister may take this any way he wishes: The Bill currently indicates that the direction will be by the Minister, but this State has become very nervous of such provisions over the past six or seven years. If this Bill is passed, it will remain on the Statute book for years until it is altered. With the Minister's background as a lawyer he will understand that many people are nervous about the possibility of a Minister having carte blanche on appointments. Given the passage of time the Minister will move from his portfolio regardless of whether his party stays in Government. Therefore, in the future some other individual will hold that position - it may be me - who has the opportunity to make the decision. A limitation should be placed on individuals in making a decision on who should be appointed to the board of directors. Certain criteria should be met. The Minister would admit that the criteria set are very loose.

I cannot accept leaving this Bill as it stands regarding the direction of the Minister. I would be letting down my constituents and the people of Western Australia if I did not support the amendment, and I have never let them down. It is not acceptable for the Minister to have

broadier powers with this legislation, because if that were the case it would be possible to repeat the mistakes of the past. The amendment provides a minor definition - as admitted by the Minister - which will be helpful to the intent of the legislation.

Mr D.L. SMITH: Regarding the suggestion that the amendment "will require the matter to go to Cabinet", it is already a matter of practice that these appointments are taken to Cabinet. This is done with all Ministers.

Mr Lewis: We do not want you to say that you do not know anything about it.

Mr D.L. SMITH: I do not want to claim greater integrity than any other Minister, and I do not want to see all ex-members of Parliament excluded from appointment to such bodies.

Mr Trenorden: Do you think that Metherell should be the head of the New South Wales EPA?

Mr D.L. SMITH: I do not believe that Metherell should hold that position, but some former members of Parliament can certainly make a contribution after politics. Where does one draw the line for the list of qualifications? The Western Australian Land Authority presents the extra problem of requiring from five to seven directors. A commitment has been made to the City of Wanneroo that one will be appointed from that area. The City of Wanneroo would prefer two directors, and places like Northam may also want representation. Ultimately, I as Minister prefer to have the widest discretion to appoint the best people rather than those I may prefer.

Mr WIESE: It is very important to remember what are the functions of the authority when considering the skills required of the directors. The member for Applecross made a good point when he said that when Broken Hill Propriety Co Ltd selects its board of directors it does not choose its mates. It employs people with specific skills. The amendment moved by the member for Applecross ensures that that will happen. The board members' skills must relate to the functions of the authority. It will be an agency through which the Government will provide land for the social and economic needs of the State. It will hold land and plan, provide, promote and coordinate the development of land.

The authority must fulfil a series of special functions. The skills spelt out in the amendment relate very well to those functions and will ensure that people on the board are able to carry them out. The third function of the authority is to continue the development of the Joondalup centre. Perhaps a weakness is that the amendment does not provide for a person from Wanneroo to be appointed to the board. However, the Minister has the ability to do that. Two other positions can be appointed, which covers the appointment of someone with special skills from the Wanneroo area. Logically, that would be someone from the City of Wanneroo.

The fourth function of the authority is to identify other potential centres of population and to use its powers to bring about the provision of infrastructure and facilities for the same. Some cynics may say that a political appointment is needed to identify those centres in which the Government may want to do some pork-barrelling. The amendment provides for somebody with regional development expertise who would well and truly cover that area. Such a person will be able to examine all the centres to establish where potential exists for the authority to provide the infrastructure. The amendment more than adequately provides for the appointment of appropriate people to carry out the board's functions. The Bill does nothing to ensure that people with the necessary skills are appointed.

Division

Amendment put and a division taken with the following result -

Ayes (21)

Mr Ainsworth	Mrs Edwardes	Mr Omodei	Mr Watt
Mr C.J. Barnett	Mr Grayden	Mr Shave	Mr Wiese
Mr Bloffwitch	Mr Lewis	Mr Strickland	Mr Bradshaw (Teller)
Mr Clarke	Mr MacKinnon	Mr Trenorden	
Dr Constable	Mr McNee	Mr Fred Tubby	
Mr Court	Mr Nicholls	Mr Turnbull	

Noes (23)

Mr Michael Barnett	Dr Gallop	Mr Pearce	Mr Taylor
Mrs Beggs	Mr Graham	Mr Read	Mr Thomas
Mr Bridge	Mr Grill	Mr Riebeling	Dr Watson
Mr Catania	Mr Leahy	Mr Ripper	Mr Wilson
Mr Cunningham	Mr Marlborough	Mr D.L. Smith	Mrs Watkins (<i>Teller</i>)
Mr Donovan	Mr McGinty	Mr P.J. Smith	

Pairs

Mr House	Mr Gordon Hill
Mr Blaikie	Mrs Henderson
Mr Kierath	Mr Troy
Mr Cowan	Dr Lawrence
Mr Minson	Dr Edwards

Amendment thus negated.

Mr LEWIS: The second amendment is to prevent the chief executive officer from being a member of the board. This amendment has its genesis in the debate on the East Perth Redevelopment Act. On most boards the chief executive officer is privy to everything that takes place. If that person is also a member of the board or, indeed, the chairman of the board the old mushroom analogy could occur; that is, keep them in the dark and feed them manure. I move -

Page 5, after line 23 - To insert the following new subclause -

- (3) The chief executive officer shall not be appointed as a member of the board.

I suppose the overview is that those with knowledge have power. Of course, the chief executive officer would not be the chief executive officer if he were not the most knowledgeable person of the authority which this Bill intends to create. The thrust of the amendment is to embargo or restrict the ability of a chief executive officer to sit on the board and make a deliberative vote. If the board is to operate on the basis of making a decision on information that is presented to all members, there is no reason why the chief executive officer must be a member of the board. To retain some consistency - perhaps this is what concerns me most - and as this Bill runs down a fairly similar path to the East Perth Redevelopment Authority legislation, the legislation should be framed along the same lines.

Mr Trenorden: The East Perth legislation was one big pork barrel; this is sections of a pork barrel.

Mr LEWIS: Okay, but at least the Government can be consistent. One thing that legislators like us should endeavour to do is try to reach an understanding of fundamentals and try to be consistent. The chief executive officer under the East Perth Redevelopment Authority legislation is not a member of the board for valid reasons. It follows logically, therefore, that the chief executive officer of the Western Australian Land Authority should also not be a member of the board.

Mr DONOVAN: I support the amendment moved by the member for Applecross. It is difficult to get by in this debate without repeating what he said. Essentially, the argument is that the chief executive officer of the East Perth Redevelopment Authority is not a member of the board, and that legislation was quite complex and allowed considerable powers to an authority to do certain things. Presumably, in that legislation the Government wanted to ensure that problems of conscience, interest and of direction one way or the other, and problems of an unfair or unhelpful nature were kept to a minimum. It was decided in that case that the CEO should not be a member of the board but that he should act as a servant of the authority. It is very difficult for a servant to serve when he has to vote in the mastery.

This authority will be much bigger than the East Perth Redevelopment Authority. The Bill covers all of the State and includes industrial, commercial and residential land. All of the complications and conflicts of interest that may arise in the East Perth redevelopment

situation will be magnified with this authority. This Bill suggests a stronger case for the exclusion of the chief executive officer from the board than was the case with the East Perth Redevelopment Authority legislation and I therefore support the amendment.

Mr WIESE: The member for Morley has totally persuaded me to support the amendment. For all the reasons outlined, the National Party will support it strongly.

Mr C.J. BARNETT: I support the amendment for another reason. While I endorse all of the points made about separation of responsibility, those of us in this Chamber who have been chief executives will know that a good relationship with the board is a very positive thing for the organisation. The chief executive has responsibility for staff who prepare a position and take it to the board. The chief executive will have the opportunity to discuss matters beforehand and debate those matters at the board meeting. However, in any organisation, there are times when difficult or hard decisions have to be made and it is a good thing for the management of an organisation for the board to say, "This is the way we have decided the matter and this is the way it will be." The chief executive is the link between the organisation and the board. If a good relationship exists, he will find the board to be a paternalistic source of counsel and good advice and contributing to a productive organisation. That relationship can exist only when there is a formal separation with the CEO not being a member of the board.

Mr D.L. SMITH: The chief executive officer of the Industrial Lands Development Authority was a member of the board. Managers of private enterprise organisations are also directors and usually go under the title of managing directors. There are many advantages to be gained from staff being represented on boards. Quite often the chief executive officer is the person with the best knowledge of the subjects being discussed and it is better if he can actively participate in board discussions rather than simply be an observer who can be asked to leave or comment at the discretion of the board. If he is not asked, he is not able to contribute and that may mean the board's going without information that may influence its decision. In the end, however, I do not feel strongly about the amendment. The Government will oppose the amendment. However, if the upper House does something else, we will be happy to reconsider it.

Mr LEWIS: It is a little frustrating listening to the Minister's argument. He said that the amendment does not really faze him but really what he is saying is that he wants to have his way but if another place decides otherwise, he will accept it.

Mr D.L. Smith: Reconsider it.

Mr LEWIS: He knows he will accept it otherwise he will not get his legislation. That is being somewhat bloody-minded and also wastes the time of this House and the Legislative Council. There are about 30 amendments on the Notice Paper and he knows that many of those amendments will end up back in this Chamber by way of messages from another place. If the Minister thinks it through on the basis of what is reasonable - I do not believe that the proposed amendment is unreasonable because it was accepted for the East Perth redevelopment Bill - he will recognise that he is being bloody-minded. That is clear from the statement he made. This may not necessarily be the way he wanted it, for whatever reason, but logic should prevail and he should allow this amendment to proceed. If he continues down his present track, he may not have a Western Australian Land Authority at all.

Division

Amendment put and a division taken with the following result -

Ayes (22)

Mr Ainsworth
Mr C.J. Barnett
Mr Bloffwitch
Mr Clarko
Dr Constable
Mr Court

Mr Donovan
Mrs Edwardes
Mr Grayden
Mr Lewis
Mr MacKinnon
Mr McNee

Mr Nicholls
Mr Omodei
Mr Shave
Mr Strickland
Mr Trenorden
Mr Fred Tubby

Dr Turnbull
Mr Watt
Mr Wiese
Mr Bradshaw (*Teller*)

Noes (22)

Mr Michael Barnett	Dr Gallop	Mr Pearce	Mr Thomas
Mrs Beggs	Mr Graham	Mr Riebeling	Dr Watson
Mr Bridge	Mr Grill	Mr Ripper	Mr Wilson
Mr Catania	Mr Leahy	Mr D.L. Smith	Mrs Watkins (<i>Teller</i>)
Mr Cunningham	Mr Marlborough	Mr P.J. Smith	
Dr Edwards	Mr McGinty	Mr Taylor	

Pairs

Mr House	Mr Gordon Hill
Mr Blaikie	Mrs Henderson
Mr Kierath	Mr Troy
Mr Cowan	Dr Lawrence
Mr Minson	Mr Read

The DEPUTY CHAIRMAN (Mr Kobelke): The voting being equal, I give my casting vote with the Noes.

Amendment thus negatived.

Clause put and passed.

Clauses 6 and 7 put and passed.

Clause 8: Protection of directors and officers -

Mr WIESE: I express my concern about the provisions of this clause relating to the responsibility of directors and officers of the authority. This is very pertinent to accountability and other such matters. The authority will be in the business of land development and will deal with a large amount of public money. It will deal with that money in the same way that public companies deal with public money. However, under current legislation directors of public companies have a great deal of personal responsibility and liability. That is as it should be. Bearing in mind the activities of directors of companies in this country and the impact they have had on shareholders and the people with whom they have dealt, there is no doubt about the need to strengthen the obligations of directors of public companies. In the past four or five years they have been responsible for the loss of a great deal of public money which was invested in their companies.

It is proposed that the legislation should include a clause which totally exonerates the directors and officers of the authority of any responsibility for their actions. That is not good enough. Under the securities legislation directors of public companies have some personal liability for their misdeeds or omissions. The directors and officers of this authority should be similarly liable. I am very disappointed and unhappy about clause 8 because it will relieve directors and officers of the authority of any personal liability for their actions and any decisions they make.

Mr D.L. SMITH: This clause allows for the protection to be extended for the persons concerned when they have acted in good faith. Subparagraph (2) places some specific obligations on the directors. These are outlined in part B of schedule 1 and relate to matters of conflict of interest, a requirement for directors to act honestly at all times, the disclosure of information, the nondisclosure of information, and any advantage gained from information they may obtain. There is also the sanction of a fine or liability to pay for any profit made by the directors or for any damages suffered by the authority. It may be argued that the obligations need to be broader, but I do not want to get into a debate about whether the provisions of the corporations legislation in relation to directors cover the directors in this agency. That issue is not clear to me. It is difficult enough to get good people to accept a directorship on public instrumentalities, and the more we leave them open to actions of various kinds, the less likely we are to get them.

Mr Bloffwitch: The same applies to the directors of private companies. The directors receive almost no remuneration and are doing it in an honorary capacity.

Mr D.L. SMITH: They are usually remunerated substantially better than are the directors of these kinds of agencies. In any event, the protection applies only where the directors act in

good faith, and part B of schedule 1 provides for additional obligations and penalties. It is a question in the end of what is fair in terms of the obligations that they are being asked to bear. It has been the practice in the past to extend the protection to people acting in departmental or Government agencies, and also in local government.

Mr Wiese: It is a changing ball game in today's climate, and the new securities legislation acknowledges that.

Mr D.L. SMITH: Yes, and I accept that the ball game should be extended in the case of directors of public corporations and people who are directors of these kinds of agencies. It is really an argument about whether the part B obligations go far enough or whether they could go further, as the member is suggesting. It is arguable. I still believe that people who give of their skills to the community through these Government agencies do it as a service to the community rather than for the payment of a fee, and we should not provide too much of a discouragement to people to do that.

Mr TRENORDEN: Notwithstanding what the Minister has said about people serving in the interests of the community, that is a position we understand well and support, but history has demonstrated that individuals do get on to boards and do the wrong thing. There has been a fair history of individuals acting outside of their responsibility. A prime example in this State was the State Government Insurance Commission, and that matter has been well debated. The penalties under part B are a fine of \$5 000 and removal of any profit or liability for any damage suffered by the authority. We are talking about an organisation that will handle tens of millions of dollars.

Mr Wiese: What does the Joondalup Development Corporation have in its kitty at present?

Mr Lewis: Some \$35 million to \$40 million.

Mr TRENORDEN: Yes. We are talking about giving directors a carte blanche privilege in respect of protection, except in the case of illegal action. This clause does not refer to Government directions; no doubt that is referred to elsewhere in the Bill. The point is that when an individual on a board decides to seize an opportunity, as has been the habit of some people, the penalty will be a fine of \$5 000, removal of any profit or replacement of any loss. That is a laughable proposition and it is not good enough in respect of accountability in this Bill. It could be argued that it signals to an individual who is inclined to do the wrong thing that the penalty is exceedingly weak.

Mr D.L. SMITH: The penalties are cumulative. The person will be liable to the authority for any profit made by him or her or for any damage suffered by the authority, and will also be liable to a fine of \$5 000. In addition, clause 5 of schedule 1 provides that, "The provisions of this part are in addition to and not in derogation of any other law relating to the duty or liability of the holder of a public office". Members are aware that a number of provisions in the Criminal Code cover the holders of public office in the discharge of their duties, and also that the Royal Commission is likely to look at the obligations of people in public office. We probably should await its recommendations before we start to experiment with more draconian provisions in relation to public officers. Members opposite may not be aware that Treasury has been looking at the global issue of public office or directors' liability legislation, so again it would be better to await Treasury's consideration of that issue and for legislation to come before the Chamber which will apply to all such agencies rather than trying to try to write something additional into this legislation.

Mr LEWIS: The Minister has suggested that because it is difficult to find people who are willing to volunteer or to give of their skills for the public good we should not necessarily hold them accountable.

Mr D.L. Smith: I did not say that. I said you had to balance the level of liability -

Mr LEWIS: It is a false argument that we will never get persons to nominate as directors if at all times they have upon them a discipline to act properly. We should endeavour to write disciplines into legislation so that directors will know that they are responsible not only to a particular Act but also to the corporations law of the State. This Bill will establish an authority that will be dealing in the commercial world. The directors on the board of that authority should be bound by the same commercial constraints, obligations and fiduciary duties as members of any other commercial board. I accept that, if this authority were a department under a ministry, the Minister would wear it -

Mr D.L. Smith: He does not wear it personally.

Mr LEWIS: He should, and that is one of the big failings, because some former Ministers of this Government have walked away and said, "We tried our best but we blew it."

Mr D.L. Smith: That is not limited to Ministers of this Government. There are many relevant examples in the past.

Mr LEWIS: That is not good enough. We must bring back some discipline on people who accept public office, and that includes Ministers of the Crown.

Mr D.L. Smith: I suggest the member wait until the Royal Commission brings down its report.

Mr LEWIS: That might not necessarily help. The argument the Minister puts is that we should not make things too onerous otherwise we might not get anyone to do the job. That might be the reason that we will get a lemon or a crook. We have had a few of them on the boards created by the Government. That will come out when the Royal Commission finally reports.

Mr D.L. Smith: The Criminal Code will cover that situation. It is a question of whether it will cover the situation where people have acted in good faith and may have been following their normal duty of care.

Mr LEWIS: History has shown that some Government appointees to agencies or boards did not act in good faith or for the benefit of the State.

Mr D.L. Smith: They would not receive protection under this legislation.

Mr LEWIS: Maybe the suggestion by the member for Wagin is valid. We may need to rethink the situation when the Bill goes to the other place. Perhaps we may need to move an amendment that will encumber directors of the corporation to be bound by corporate laws of the State and of Australia. If those people are not prepared to be bound perhaps we do not want them as directors anyway. We are not mucking around here with some hospital board that might be dealing with individuals' health or lives. We are dealing with an authority that will be handling hundreds of millions of dollars.

Mr Wiese: And resuming land.

Mr LEWIS: Yes. It follows that there must be discipline.

Mr D.L. Smith: And people acting in good faith.

Mr LEWIS: We can all say that. We all heard ex-Premier Dowding tell the Royal Commission that his acts were the best thing for the State. That was a handy excuse. After losing \$330 million of taxpayers' money he walked out of the Royal Commission laughing. There has been no discipline. That is probably the point.

Mr Wiese: What about the SGIO? The list goes on.

Mr LEWIS: Yes, the member has made a very good point. The Minister referred to the sequestering of property via insider knowledge. That is a sanction. The Bill provides a \$5 000 fine -

Mr D.L. Smith: Plus the Criminal Code provisions.

Mr LEWIS: - for deals that could run to tens of millions of dollars. Does the Minister think for one moment that Laurie Connell would dwell on the thought of \$5 000? Laurie Connell would roll up \$5 000 and light his cigar; that is what \$5 000 represents to those roosters. Ten years later, with the progress made in the courts -

Mr D.L. Smith: And the progress made by the Royal Commission.

Mr LEWIS: I do not want to get into another area. We all know that good justice is swift justice. When matters drag on for years and people die or when people's memories fade, the longer the matter goes on the better for the defendants who have been charged.

Mr D.L. Smith: Perhaps that is why people support the Royal Commission and why problems occur with delayed prosecutions.

Mr LEWIS: There would not be any charges because it would all be swept under the carpet just as the Government wanted to do.

Mr D.L. Smith: Let us not go into that.

Mr LEWIS: The Minister brought it up. The Minister stated that we should not place any draconian obligations on the directors, that they must abide by the laws of Australia and the State. Are those laws draconian?

Mr D.L. Smith: There is no exemption from the laws of the State. The legislation clearly states that all other provisions in relation to people holding public office apply.

Mr LEWIS: But they are not subject to the corporate law.

Mr D.L. Smith: They are subject to penal sanction.

Mr LEWIS: They are excluded from the corporate law.

Mr D.L. Smith: They are subject to the Criminal Code - to which normal directors are not subject.

Mr LEWIS: The Minister has responded that the directors to be appointed would be subject to the corporate laws of this State and of Australia. If the Minister agrees to that, I will sit down. Ten minutes ago he said that we cannot make the directors subject to draconian, onerous obligations which would occur if they were subject to the corporate laws of the State. The Minister cannot have it both ways.

Mr D.L. Smith: You are talking about exemptions for people acting in good faith.

Mr LEWIS: They all act in good faith. People say that they thought they acted in the best interests of the State - and yet some people walk out laughing. We have been burnt. The State has lost \$1.5 billion, and still the Government has not received the message. This legislation is a minor WA Inc Bill. It is referred to as a little WA Inc Bill.

Mr D.L. Smith interjected.

Mr LEWIS: The Minister's argument is not valid. He cannot have it both ways. He cannot say something is draconian or places the onus on directors and in the next breath say the opposite.

Mr D.L. Smith: If they acted in good faith, yes.

Mr LEWIS: It is all very well to say they will act in good faith.

Mr D.L. Smith: I do not think you know what that expression means.

Mr LEWIS: I know what morally acting in good faith means. The many people placed on boards by the Government did not act in good faith. They acted in their own faith. They acted for their own benefit and to the detriment of the State. The Minister knows that. I have made my point well because the Minister is angry. I have touched a nerve.

Mr D.L. Smith: I am angry about your silly attitude and the way you delay the Chamber.

Mr LEWIS: The Minister knows that the comments by the member for Wagin and the member for Avon are true. We should have corporate discipline.

Mr BLOFFWITCH: I am a director of four companies. I am also halfway through a course on company directorship. If the situation were as simple as the Minister states why do we have such a thick book from the Australian Securities Commission outlining the duties of directors?

Mr D.L. Smith: I told the member for Geraldton that Treasury is working on similar provisions for people in public office.

Mr BLOFFWITCH: We have had the companies office working on that for the past three or four years. I agree with the previous speakers and I cannot see why we are not instituting the existing provisions. I cannot accept that the Minister is saying that he does not want to impose onerous conditions on these people acting in the public good. They have a responsibility for taxpayers' money just as directors have a responsibility for shareholders' funds.

Mr D.L. Smith: What is your view of local government councillors? Should they be liable?

Mr BLOFFWITCH: I am not talking about local government but directors of commercial corporations and that is what the Minister has been talking about. Mr Smith is the Minister for Local Government, I am not.

Mr D.L. Smith: That is why the legislation contains these sorts of exemptions.

Mr BLOFFWITCH: Maybe it does, but I am saying that a corporation of this type should not have these exemptions.

Mr D.L. Smith: Has the member for Geraldton read the provisions of the Federal code for people holding public office?

Mr BLOFFWITCH: Yes, as a justice of the peace I have read the conditions which apply and I still say they are liable for criminal action. A lot of what directors have done could be looked upon as being fraudulent or corrupt; if their actions were not in the interests of the people for whose money they are responsible they will be found guilty. If it were as simple as merely applying the Criminal Code we would not have the present volume of court cases arguing about directors' responsibilities. I urge the Minister to look at this matter. It is an indictment on the controls we are placing on this corporation. I shudder at the ramifications that will come from this legislation if someone were to take advantage of its very loose and lax requirements.

The DEPUTY CHAIRMAN (Dr Edwards): I remind members that it is not the practice to read newspapers in the Chamber.

Mr Clarko: It has been the practice for 95 per cent of its history. The Deputy Chairman should refer to the records.

The DEPUTY CHAIRMAN: I have heard the Speaker ask people not to read newspapers.

Mr D.L. SMITH: This is the clause used in similar legislation introduced into this place by both sides of the Chamber in the past. As a result of recent events and some older events some of those provisions need to be looked at again. That is being done through two sources, the Royal Commission and the Treasury. The Treasury is developing obligations for directors of public corporations. Simply to switch all the obligations of private directors onto what are essentially Government agencies would in a way be predicated the recommendations of the Royal Commission and prejudging what the Treasury may say is required. Members opposite are not talking about what should replace this clause. The Opposition has had the Bill for God knows how long. It has not put any amendments on the Notice Paper; this is something which the member for Applecross did not think of, and which the member for Wagin thought of tonight while he was drifting through the Bill.

Mr Lewis: That is what the Committee stage is all about.

Mr D.L. SMITH: If the matter were as important as the member for Applecross has been histrionically projecting, I would have thought someone would have looked at it before now. All the member for Applecross has been doing is playing to the gallery.

Mr Lewis: I do not have the resources of a parliamentary draftsman to do my bidding. Every amendment that has been proposed was written by me.

Mr D.L. SMITH: The member for Applecross knows as well as I do that this is a perfectly normal clause. The obligations cast in the schedule are not normal; they are additional, but they do not detract from the provisions in the Criminal Code. The member also knows that the Government is seriously looking at the code and whether all the obligations need to be changed. It is doing it in a general sense through Treasury and no doubt will be influenced by the recommendations of the Royal Commission. All I am asking is that the member for Applecross do what he has already done in the course of reading the Bill between its introduction and now; that is, to look at this clause and find it is a perfectly normal clause not requiring amendment.

Mr Lewis: I did not.

Mr D.L. SMITH: Yet when we get here tonight suddenly we have a histrionic performance from the member for Applecross for the benefit of the gallery. Firstly, the exemption applies only to people acting in good faith. Secondly, there are additional obligations in the schedule and the code. The member for Applecross has the assurance of the Government that, through Treasury, it is looking at the whole issue of the obligations of directors and will apply the results to all Government agencies of this kind.

Mr Trenorden: You will not be in Government long enough to do it; we will.

Mr D.L. SMITH: If that is the case no doubt the member for Avon will do it, but I suspect that he will not. What I have heard time and again in this place - and it is why people in the electorate do not believe the Opposition and will not vote for it - is rhetoric, but in practice the Opposition never delivers.

Mr Clarko: More people voted Liberal in 1989 than Labor. Does the Minister not know that?

Mr D.L. SMITH: As a general rule we have histrionic performances for the purposes of the media. The Opposition is not seriously considering the legislation. If it had, it would have had some amendments before the House between the time when this Bill was introduced and now. The Opposition has not done so because it knows the provisions are perfectly normal and there is no need for the kind of histrionic performance we have had tonight.

Mr LEWIS: I must put the truth on record. The first point is that Committee debate is about debating the clauses of a Bill. In the normal course of debate the Committee feeds off the other people who are debating the issues. For the Minister to suggest that we should not be talking about this clause -

Mr D.L. Smith: This is a perfectly normal clause.

Mr LEWIS: I thank the Minister for retracting what he said just five minutes ago.

Mr D.L. Smith: It does not warrant the histrionic performance we have had from the member for Applecross.

Mr LEWIS: The second point I want to make is that it is not that I did not think about the clause; the truth of the matter is that I am not legally trained.

Several members interjected.

Mr LEWIS: I know that most lawyers are dummies. They usually get a brief and they come up with a decision on the basis of the way the brief has been written. That is what I know. The moment a lawyer becomes involved it becomes a problem because commonsense usually does not prevail. That is what I know about lawyers. It is not that I do not know what acting in good faith means. If I do not know that at my stage in life, I do not know anything. I was brought up with a different standard of moral behaviour and expectations than perhaps the Minister and his colleagues in the Labor Party.

Mr D.L. Smith interjected.

Mr LEWIS: Just because a person worships in church it does not make him honourable and good. The Minister should have learnt that some time ago.

The DEPUTY CHAIRMAN (Mr Marlborough): Order! The member for Applecross should concentrate on the points relating to the clause and the Minister should allow debate to take place. We may then be able to go beyond this clause.

Mr LEWIS: I was responding to accusations that reflected on me and I should have the right of debunking the suggestions made by the Minister. It is true that this Bill has been dealt with by the Minister for two years, but I do not know whether that is an advantage. The amendments which appear on the Notice Paper under my name were drafted by me. I did not have the benefit of Parliamentary Counsel or highly paid officers to advise me, help me frame the amendments or assist me during the course of the Committee debate. I am not saying that the Minister should not have that assistance available to him. I read the clause and wondered how it could be changed, but I did not know how to frame the words. As it was, I had already placed about 30 amendments on the Notice Paper and wondered how far I should go. The Minister should know that by the time the Legislative Council finishes with this legislation it will bear no resemblance to the Bill introduced in the Assembly. The Minister reflected on my intentions unkindly. The members for Wagin and Avon have made sound points. I have the right and accept the opportunity of putting in my five penn'orth worth.

Mr WIESE: I raise this matter because I consider that a different ball game from that which operated in the past is now operating. The Minister has said that this is a perfectly normal clause which has been included in much legislation prior to this Bill. I accept that; however, the scenario of public responsibility and public office has changed. The Australian securities legislation, under which the directors of public companies operate, recognises that we are

operating in a different situation. For that reason the securities legislation now has included in its responsibilities powers for disciplining directors and making them responsible for their actions and which go beyond those that existed in previous companies legislation.

This piece of legislation refers to public officers but does not recognise that we live in changing circumstances and that the public, whom parliamentarians serve and represent, are calling for greater and stronger powers to ensure that responsibility is maintained. This legislation does not accept that. In some of his remarks the Minister has accepted the veracity of what I am saying about this being a changing ball game. The Minister has said that two Government instrumentalities are examining means by which the responsibilities of directors and officers of public authorities can be further strengthened and made more accountable to the Parliament and the general public. That point has been well made. However, what recommendations will come from Treasury about how these powers can be changed? What will be the recommendations of the Royal Commission, which is another body expected to bring forward recommendations? When those two organisations bring down recommendations to ensure that directors and officers of public authorities are made more accountable, this Parliament needs an assurance from the Government that those recommendations will be brought into being and, if need be, the powers in this legislation will be strengthened in line with those recommendations. If the Minister, on behalf of the Government, can give the Chamber that commitment the Opposition will allow the clause to pass.

Mr TRENORDEN: The Chamber is discussing the establishment of a department which will have substantial responsibility in the State. In the past we have witnessed the establishment of the Western Australian Development Corporation, the State Government Insurance Commission, the R & I Bank Ltd and so on. They were bodies which acted outside the realms of their responsibilities and caused problems which resulted in the WA Inc debacle. We then heard the great cry from members opposite about accountability. The current Premier came to power on a horse named accountability; but that horse died some time ago. This new agency will handle tens of millions of dollars and will be subject to accountability provisions from 1983. Where are the accountability provisions? They are absent.

The Minister has had two or more years to draft this Bill and it has been on the Notice Paper for some time. The Minister has had more than enough time to introduce Government rhetoric into this Bill. This is yet another occasion on which the Government has referred to accountability and has been found wanting.

Mr D.L. SMITH: Section 49 of the Joondalup Centre Act states -

A person who is or has been a member of the Corporation or a committee of the Corporation is not liable for anything done or omitted to be done, in good faith, by him as such a member or by the Corporation or a committee of the Corporation.

That clause was inserted by a Liberal Government and shows that the inclusion of those clauses is not unusual. I am happy to reassure the member for Wagin, who is interested in this matter in his normal balanced manner, that the change is coming through the Treasury's recommendations.

It would be premature to add to the provisions of the Criminal Code before the recommendations of Treasury and the Royal Commission are to hand.

Mr Trenorden: What about the recommendations of the Burt Commission on Accountability?

Mr D.L. SMITH: Those provisions are already included in this legislation, as are the provisions of the Financial Administration and Audit Act. The member for Avon will understand from his position the dealings of responsible officers in relation to those matters. I am emphasising that we have a perfectly normal provision before us and it does not require the amendment foreshadowed by the member for Applecross. I acknowledge that times have changed and that is what Treasury and the Royal Commission is about and that is the reason for the additional provisions for public office holders. We should not impose new obligations under this clause or remove exemptions which previously applied to people acting in good faith in these situations.

Clause put and passed.

Clause 9: Chief executive officer -

Mr LEWIS: I move -

Page 7, lines 7 and 8 - To delete "may, after consultation with" and substitute "shall on the recommendation of".

The intention of my amendment is to remove the ability of the Minister to set the salary of the chief executive officer. It will cause the Minister to consult with the Public Service Commissioner to determine the salary of the CEO. Clause 9, as it is currently drafted, provides that the Minister must consult with the Public Service Commissioner, but he does not have to take any notice of his recommendation.

The Opposition believes this clause should be amended because every member in this Chamber and every person in this State can remember the \$1 million salary which was allocated to the CEO and Chairman of the Western Australian Development Corporation. With the nudge and the wink of the then Premier the chairman was able to set his own salary. It was a very unhealthy situation and it is an unhealthy situation for the Minister to be in this position. I am not reflecting on this Minister, but if the clause remains as it is drafted in the Bill we could at some time in the future have a repeat performance of the unfortunate circumstances in which the previous Chairman and CEO of WADC paid himself a huge salary which was over the top and was extraordinary. Even more extraordinary is that he wrote into his contract, with the imprimatur of his pal the then Premier, that if the Government was forced to sack him he would pick up \$2.3 million.

Mr Wiese: It was compensation for being weaned off the bottle.

Mr LEWIS: That is right. I ask the Minister whether he considers that what occurred on that occasion was reasonable. If his answer is no perhaps he will embrace my amendment. It is improper for any person in a Government agency to be appointed on the basis that his salary will be determined by the Minister.

Mr D.L. Smith: After consultation with the Public Service Commissioner.

Mr LEWIS: I can well remember the debate on the last electoral Bill and the appointment of the Chief Electoral Commissioner and the Deputy Electoral Commissioner. The Premier of the day wrote to the Leader of the Opposition because a section in the legislation states that the Premier must consult with the Leader of the Opposition and the Leader of the National Party on such appointments. The Leader of the Opposition did not respond within three or four days and the Premier advised the House that he had appointed a certain person. When the Opposition pointed out that he had not complied with the intent of the Act, the Premier advised that he had written to the Leader of the Opposition who had not replied and in his estimation that was consultation. The words "may, after consultation" in this clause mean nothing; the Minister can do what he or she likes. If this Minister and this Government believes that the salary should be open ended, future Ministers will have the ability to determine the salary of their mates. As I said, I am not reflecting on this Minister. It could very well involve someone from this side of the Chamber.

It is important that the CEO retain the rights and privileges of his existing employment as a public servant, but he should not expect to switch to another department and receive a fat salary which does not come under the jurisdiction of the normal course of employment of a public servant. He cannot have it both ways. The message is that if the CEO shifts his benefits sideways - I have no problems with his having those entitlements - he should not have the icing on the cake in the form of a fat salary which does not come under the provisions prescribed by the Salaries and Allowances Tribunal or on the recommendation of the Public Service Commissioner.

Mr D.L. SMITH: I do not believe that people acting for Government agencies should be paid exorbitant salaries. They should not be paid the sorts of salaries that apply under the Liberal Government in New South Wales. However, there ought to be some discretion as to how much they are paid.

Mr Lewis: Did they pay anybody \$1 million a year?

Mr D.L. SMITH: I suggest the member check on some of the salaries currently being paid in New South Wales. I emphasise that I do not endorse those practices. I do not endorse the principle that anyone should be paid an exorbitant salary. However, some positions

occasionally require payment of a salary over and above that normally recommended by the Public Service Commissioner. This clause requires the Minister to consult the Public Service Commissioner. Under the legislation presently before the Committee information on what the consultation was about will be available simply by asking questions of the appropriate Minister in this place. It is clear that the Minister cannot simply go out and pull a figure out of the air but has to consult the Public Service Commissioner and make a determination which will become public. The advice given by the commissioner will also become public. If the commissioner is overly generous in setting a salary he will be subject to the proper criticism. I emphasise that the sorts of authorities we are talking about need discretion in the payment of some salaries which are beyond the norm of Public Service levels. I am not talking about exorbitant salaries but about salaries that are reasonable for people performing certain tasks which should be known publicly and which should be disclosed to the Parliament so it knows what the advice from the Public Service Commissioner about that salary was and what was the level of the salary set so it can make a decision as to whether it believes a reasonable decision was made. To leave such matters under the direct control of the Public Service Commissioner could result in people receiving a Public Service salary. In that event, one does not necessarily attract the sorts of people one wishes to attract to a position; people such as Michael Kerry and Nick Hodges of ILDA are fairly rare creatures. They were working for what could be called Public Service salaries but were difficult to retain because people outside were offering them better positions.

Mr Lewis: Nick Hodges got fed up with you people.

Mr D.L. SMITH: That is not true. The member for Applecross knows the situation. If he does not, he can discuss it with me later. People like that who have done an excellent job should be offered a special incentive to stay in a position, or to take it on in the first instance. A discretion should be available in the sorts of cases just described.

Mr Lewis: Why did Michael Kerry go to Brisbane? Because he was not going to get the job!

Mr D.L. SMITH: I will happily discuss that matter with the member for Applecross in another place because Mr Kerry's business does not need to be discussed here. I support this discretion outlined in this clause.

Mr LEWIS: The Minister is saying that he has no confidence in the Public Service Commissioner.

Mr D.L. Smith: I am not saying that at all.

Mr LEWIS: Surely the Public Service Commissioner, if he has any understanding of business and commerce, understands that to attract the right person to some positions he or she must be paid a little more than a standard Public Service salary? I do not argue against that. The Minister is saying that the Public Service Commissioner will not necessarily reflect his intentions.

Mr D.L. Smith: I am saying he will not necessarily reflect what is necessary to attract the right people to a job and keep them in it.

Mr LEWIS: Is the Minister not saying that he is not confident that the Public Service Commissioner will come up with the right recommendation? The other point that must be made is that a clause in the schedule, I think, states that the chief executive officer retains all of his or her rights and privileges associated with current duties. Usually, people who are paid high salaries in the commercial world do not have a fixed employment period and can be dismissed at the whim of the board. They have fat salary packages based on their responsibility and lack of long term benefits. I think the Minister is suggesting that an appointee should have all the rights and privileges of a public servant along with a fat salary over and above that normally paid in the Public Service. I believe that is over the top bearing in mind that the people involved would not be subject to dismissal because they would have the protection of the Public Service Act and other legislation. I suggest that the sort of person we are discussing should not necessarily have the best of both worlds. I do not know what salaries are being paid in New South Wales. However, I do not think that the New South Wales Government is paying anybody \$1 million a year, which this Government was paying a chief executive officer until a year or so ago. One should bear in mind that this body will be taking on the position of the Western Australian Development Corporation as this will become the umbrella legislation for the business dealings of LandCorp which was,

and still is, WADC. Therefore, nexus exists between the two. It is important that some discipline be placed on the Minister, whoever that may be in future, so that he or she is bound by the advice of the Public Service Commissioner. If the Minister cannot convince the Public Service Commissioner that a person should be paid a certain salary then that person should not be paid that salary.

Mr WIESE: I support the comments of the member for Applecross. It appears that, firstly, the Minister has the ability to appoint this person; and secondly, he will be the sole determiner of that person's salary. It would be a wise and sensible safeguard for the Minister of the day if the person making that recommendation were the Public Service Commissioner, with the Minister acting upon his recommendation. If the Minister of the day was not able to persuade the Public Service Commissioner that that person should have a salary higher than that which the commissioner might allocate to someone performing a similar role and should be subject to certain terms and conditions, the Minister of the day should ask himself whether what he was doing was a proper course to take. He should ask himself whether he should not act upon the advice of the Public Service Commissioner rather than on his own whims and authority. As the clause presently stands the Minister of the day would make the appointment, determine the salary and set the terms and conditions of appointment. It would be much wiser for the Public Service Commissioner to make recommendations to the Minister of the day, with the Minister discussing and accepting that advice.

Mr D.L. SMITH: The provision requires consultation with the Public Service Commissioner and, as I have already indicated, the outcome of that consultation could be ascertained either through the freedom of information legislation or by questions in this place. The information will be public and I do not know that there is very much concern about the ability on some occasions to recommend or agree to pay slightly higher salaries.

Mr Lewis: Slightly? A million dollars?

Mr D.L. SMITH: That would never happen under this Minister and I do not believe it would ever happen where the basis of the negotiation was to consult the Public Service Commissioner, get his advice, then make a decision, when the advice of the Public Service Commissioner would be available through this place or through freedom of information legislation for anyone to know.

Division

Amendment put and a division taken with the following result -

Ayes (21)

Mr C.J. Barnett	Mrs Edwardes	Mr Nicholls	Mr Watt
Mr Bloffwitch	Mr Grayden	Mr Omodei	Mr Wiese
Mr Clarko	Mr Kierath	Mr Shave	Mr Bradshaw (<i>Teller</i>)
Dr Constable	Mr Lewis	Mr Strickland	
Mr Court	Mr McNee	Mr Trenorden	
Mr Cowan	Mr Minson	Mr Fred Tubby	

Noes (22)

Mr Michael Barnett	Dr Gallop	Mr Pearce	Mr Thomas
Mrs Beggs	Mr Graham	Mr Riebeling	Dr Watson
Mr Bridge	Mr Grill	Mr Ripper	Mr Wilson
Mr Catania	Mr Kobelke	Mr D.L. Smith	Mrs Watkins (<i>Teller</i>)
Mr Cunningham	Mr Leahy	Mr P.J. Smith	
Dr Edwards	Mr McGinty	Mr Taylor	

Pairs

Mr House	Mr Gordon Hill
Mr Blaikie	Mr Troy
Mr Ainsworth	Mrs Henderson
Mr MacKinnon	Dr Lawrence
Dr Turnbull	Mr Read

Amendment thus negatived.

Mr LEWIS: I move -

Page 7, lines 14 and 15 - To delete the lines.

Subclause (3) provides that the chief executive officer may be appointed as a director. An amendment I moved previously to restrict the chief executive officer from being a director was lost. I will not canvass the argument again, but I place on the record that the Opposition is firmly of that belief.

Amendment put and negatived.

Clause put and passed.

Clause 10: Other staff -

Mr LEWIS: This clause is somewhat similar to clause 9 except that it refers to the privileges and terms of employment of the staff of the authority. Subclause (2) refers to the salaries of the staff of this authority which are determined on the basis of the authority. If it feels like it, the authority can consult with the Public Service Commissioner because the operative word is "may" not "shall". As we all know, "may" is one of those words which gives a person an out if required. I suppose it implies an intent but it is not an obligation. I am very fearful of such provisions and we do not want a repeat of the performance of the Western Australian Development Corporation, and the salaries and privileges associated with people employed by that organisation.

This clause allows the authority in its own right, without any reference to the Minister, and if so determined, without reference to the Public Service Commissioner, to set the remuneration levels and terms and conditions of employment of the staff of the authority. Again, the intent would seem to be that the chief executive officer and the staff have the best of both worlds: The legislation will provide Public Service protection for the staff of the authority, yet although they enjoy the protection of the Industrial Relations Act, the Public Service Act and other legislation they are comfortably and purposely removed from such provisions regarding remuneration.

This authority will be autonomous; it will not have to ask the Minister, "Well, do you think \$150 000 a year for a 2IC is reasonable?" The Minister may well determine that it is not reasonable, but a strong chairman and a strong chief executive officer may convince the board of the authority that perhaps \$150 000 a year is not a bad salary to pay a person in such a position. In that case the Minister has no jurisdiction to intercede; he probably has jurisdiction to direct, but he would have to know about the situation before he could direct. Therefore, it is possible for the board to make a decision in its own right.

The legislation is rather loose, and when I first read this Bill I came to the conclusion - as I indicated in our party room - that its provisions relating to the CEO and the staff of the authority seemed to have been written for the benefit of these people and not necessarily for the benefit of the public of Western Australia. That may be a wrong presumption, but certainly the reading of the Bill gave that impression. Whoever had a hand in drafting the Bill has looked after his or her backside on the way through.

Mr D.L. Smith: That is a reflection on Parliamentary Counsel.

Mr Wiese: Parliamentary Counsel is a reflection of how it is directed.

Mr LEWIS: Indeed. Parliamentary Counsel is told what is to go into the legislation and is told to draft provisions to meet statutory requirements and to be effective in meeting the intent of the proposition.

Mr D.L. Smith: You have yet to be a Minister.

Mr LEWIS: Yes, but on occasions I have briefed solicitors and accountants and they usually try to comply with one's requests. I suggest to the Minister that that is probably what Parliamentary Counsel tried to do.

Mr D.L. Smith: They serve and discharge their functions in a proper manner.

Mr LEWIS: I am not reflecting on Parliamentary Counsel; I suggest that the authors of the legislation were looking after themselves on the way through; I had that distinct impression upon reading the Bill. I move -

Page 7, line 21 - To delete "may" and substitute "shall".

Mr D.L. SMITH: The member for Applecross has missed the point of this provision. A comma is placed after the word "may", which indicates that the authority may determine the salaries. The reason that the word "shall" is not used is that in most cases the salary will be determined by the ordinary Public Service levels or by award conditions.

Mr Lewis: Where does it say that?

Mr D.L. SMITH: It says -

Subject to section 11 and any applicable order, award or agreement under the *Industrial Relations Act 1979*, the Authority . . .

And so on. The member is missing the point of the clause. This is an enabling clause to set salaries for people who receive other than award or Public Service rates, and the member's amendment requires the authority to determine salaries for everyone.

Mr Lewis: Is this a Government agency?

Mr D.L. SMITH: This is an enabling clause, not an obligatory clause. The member is transforming the enabling clause which allows the authority to do something to one requiring the authority to do it. The words "may" and "shall" do not relate to the consultation with the commissioner because of the placement of the comma. The member is suggesting in his amendment that the authority shall determine the salary for every employee when the intent of the clause is to enable the determination to be used when it believes that something other than standard awards should apply.

Mr Lewis: I do not accept that.

Mr D.L. SMITH: Clause 37 allows for the provisions of the Financial Administration and Audit Act to apply to this agency; clause 24 provides for the Minister to be furnished with information; clause 23 gives the capacity for the Minister to give directions. Firstly, the member for Applecross's amendment is misconceived because it requires all salaries to be set rather than only a few. The member's concerns about the lack of information or the possibility that the authority may do something which is imprudent are unfounded because the authority will be subject to ordinary audit and reporting requirements, and the Minister will be able to ask for the information and to give directions. This will enable the authority to do something akin to what is proposed for the senior executive, but nonetheless it will be subject to the same constraints of freedom of information, reporting to this Parliament and being subject to the ordinary audit and report by the Auditor General. As in any of these matters there may be a slight risk, but the member's concerns in the overall context are not real concerns; and more importantly, the member's amendment would require the authority to set all salaries rather than the power to set some salaries.

Mr LEWIS: While the Minister may not have intended to, he reiterated the point that I am trying to make. He has said that this clause gives the authority the ability to set some salaries.

Mr D.L. Smith: Your amendment seeks to oblige it to set all salaries.

Mr LEWIS: Yes, on the basis of the recommendations of the Public Service Commissioner.

Mr D.L. Smith: Your intention was to require it to accept the recommendations in the same way as the CEO, but your amendment requires it to nominate all salaries and to do that after consultation.

Mr LEWIS: No, it does not. I looked at this and I was of the opinion that a board with five or seven members, if it had a written recommendation from the Public Service Commissioner for a particular salary, would be more efficient than one Minister who may or may not have appointed his mate as the CEO. I would have thought a director of a board would make a rational decision on the basis of the recommendations of the Public Service Commissioner.

Mr D.L. Smith: The clause as it stands meets the member's requirements.

Mr LEWIS: But the authority does not have to consult with the PSC.

Mr D.L. Smith: The clause states that it "may, after consultation with the Public Service Commissioner"; there is no option about consulting the Public Service Commissioner - it must. The discretion is whether to set the salary or to allow normal Public Service salaries or award conditions to apply.

Mr LEWIS: I was trying to make it obligatory for the authority to consult with the PSC.

Mr D.L. Smith: The clause already does that.

Mr LEWIS: I do not read it that way.

Mr D.L. Smith: You are ignoring the comma. The enabling clause is on the condition that it is "after consultation".

Mr LEWIS: The Minister has half convinced me.

Mr D.L. Smith: I am saying that this gives it some discretion to set some salaries. If the member's amendment were passed it would compel it to set all salaries.

Mr LEWIS: What is wrong with that?

Mr D.L. Smith: Most of the public servants, such as receptionists and the like, do not need to have their salaries set.

Mr LEWIS: This is to be an autonomous authority.

Mr D.L. Smith: It must comply with the award conditions.

Mr LEWIS: I accept that, but as an autonomous authority -

Mr D.L. Smith: It is not to be an autonomous authority; it is to be subject to direction by the Minister.

Mr LEWIS: Only if the Minister knows about these things.

Mr D.L. Smith: Clause 24 gives me the right to know.

Mr LEWIS: If the board made a decision and the Minister discovered it, it would be a pretty difficult thing to issue a direction to change it.

Mr D.L. Smith: No, it would not.

Mr LEWIS: We would have a Greiner-Metherell situation.

Mr D.L. Smith: Well, sometimes Ministers have to confront those issues.

Mr LEWIS: Is it not better to write into the legislation a provision that will mean that those situations do not happen?

Mr D.L. Smith: The legislation requires it to consult. Your intention is to require it, to compel it, to set all salaries. If that is not your intention by all means move something else, but that is the effect of your amendment at present.

Mr LEWIS: I will proceed with my amendment because I see it as causing the authority to consult, not that it "may consult". I may be reading it differently from the Minister and perhaps it may be a situation of belts and braces.

Mr D.L. Smith: I think if the member retained "may," in the clause the amendment would achieve what he intends. If the member wanted to move that way I would be happy to support that amendment to make sure it does what the member requires.

Amendment, by leave, withdrawn.

Mr LEWIS: I move -

Page 7, line 21 - To insert after "may," the words "but only".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 11 to 13 put and passed.

Clause 14: Compliance with written laws -

Mr LEWIS: I move -

Page 9, lines 5 to 11 - To delete the lines and substitute "the operation of any State Act."

Clause 14 is an exclusion clause to which I referred earlier when the Committee considered whether the legislation should be subject to the rights and privileges of the Crown. That clause was quite specific in that the authority shall not be bound by the normal Statutes of the

State other than those specified in clause 14. As was said in that debate, this agency will operate in competition with the private sector in land development and we feel it is imperative that it does not have any advantages in its operation.

My amendment would cause the Western Australian Land Authority to be bound by all Statutes of the State and not by only those mentioned in the clause. There seems to be an anomaly whereby the WA Land Authority will be bound by the Acts referred to in the clause but not by other legislation including the Environmental Protection Act which may impact on the development of urban land. Will the Minister explain for the benefit not only of the Committee but also of the public whether the WA Land Authority will have to comply with the Environmental Protection Act and come under the jurisdiction of the EPA or whether it will be bound only by those Statutes referred to in this clause? If a level playing field is to operate, the WA Land Authority should not have any preferred position and should be bound by all Statutes, as are private commercial operations.

Mr D.L. SMITH: The Committee has passed already the provision giving this authority the status of a Crown agency. The intent is to require that agency to be liable to some State legislation over and above other State legislation to which Crown agencies are specifically subject by virtue of the provisions of the legislation. The Environmental Protection Authority Act expressly provides that the Crown is subject to that legislation. For that reason, it is not necessary for that legislation to be included in the list of prescribed Acts in this clause. To make the agency comply with all State legislation would remove most of the benefits of the status of a Crown agency and would conflict largely with the earlier provision giving it that status.

As I said when we debated that provision, if there was any uncertainty in the minds of members opposite about legislation that should apply to this authority, I would be happy to have those provisions added to this clause, but I am not willing to accept an amendment which would make the authority subject to all State legislation because that would reverse most of the benefits gained from its being a Crown agency. For that reason, the deletion is opposed.

Division

Amendment put and a division taken with the following result -

Ayes (20)			
Mr C.J. Barnett	Mr Cowan	Mr McNee	Mr Trenorden
Mr Bloffwitch	Mrs Edwardes	Mr Minson	Mr Fred Tubby
Mr Clarko	Mr Grayden	Mr Omodei	Mr Watt
Dr Constable	Mr Kierath	Mr Shave	Mr Wiese
Mr Court	Mr Lewis	Mr Strickland	Mr Bradshaw (<i>Teller</i>)
Noes (21)			
Mr Michael Barnett	Dr Gallop	Mr Pearce	Dr Watson
Mrs Beggs	Mr Graham	Mr Riebeling	Mr Wilson
Mr Bridge	Mr Grill	Mr Ripper	Mrs Watkins (<i>Teller</i>)
Mr Catania	Mr Kobelke	Mr D.L. Smith	
Mr Cunningham	Mr Leahy	Mr P.J. Smith	
Dr Edwards	Mr McGinty	Mr Thomas	
Pairs			
Mr House		Mr Gordon Hill	
Mr Blaikie		Mr Troy	
Mr Ainsworth		Mrs Henderson	
Mr MacKinnon		Dr Lawrence	
Dr Turnbull		Mr Read	
Mr Nicholls		Mr Taylor	

Amendment thus negatived.

Clause put and passed.

Clause 15: Functions -

Mr LEWIS: I move -

Page 9, lines 20 to 22 - To delete the lines and substitute "and".

My amendment will delete paragraph (c), which refers to the Joondalup Centre. It is the Opposition's intention to delete from the Bill the repeal of the Joondalup Centre Act. As a consequence it is necessary for paragraph (c) to be deleted. It comes down to the intent of the Opposition. The Opposition has made it perfectly clear that the Joondalup Development Authority should be responsible for the development of residential land and that it should virtually take over the operation of the existing LandCorp. The JDC should be allowed to complete its task; that is, the development of the Joondalup region. Therefore, paragraph (c) must be deleted in order that the Western Australian Land Authority will not have jurisdiction over the Joondalup land prescribed in other clauses of this Bill.

Mr COURT: The member for Applecross made it clear that included in the Opposition's proposed amendments is the desire to allow the Joondalup Development Corporation to continue the task it has been set. The JDC has developed a culture of its own; it is a long term planning operation which has been successful. Instead of trying to include the JDC in a larger organisation, which is proposed under this legislation, it should be allowed to complete its task. It has been stated that the amalgamation of this and other authorities to form the Western Australian Land Authority will result in savings, but that may not necessarily be the case. If that is the Government's argument it should include in this legislation other land development agencies. In the case of the operations of the JDC and the Industrial Lands Development Authority the Opposition believes that they should remain as separate autonomous bodies because they still have several years in which to complete their task.

We must consider long term planning and development strategies for those areas and we do not see any reason why the JDC should come under the umbrella of the proposed Western Australian Land Authority. If it does it will lose its focus, which is the development of the Joondalup region, and it will become part of a larger organisation which may not benefit that region. I support the amendment.

Mrs EDWARDES: I support the amendment. The Joondalup Development Corporation has been the focus of some attention in the northern suburbs for a number of years. The Opposition does not believe that the JDC should be abolished or that the Joondalup Centre Act should be repealed. The JDC should be allowed to complete its task. It has a priority, a vision and a focus. If that vision and focus are subsumed within a much larger bureaucracy, it will mean the loss of emphasis which currently exists. There may be some economies of scale but they will be minimal compared with the benefits if this corporation is allowed to proceed as it has in the past. It needs only a couple of years to reach the stage at which the momentum would be such that the Joondalup centre could take over and complete the task on its own. It is not at that stage at the moment. It needs more support and message which can be given only by this type of corporation. The vision which allowed the Joondalup Development Corporation to be set up far ahead of its time should not be subverted by its being incorporated in a much larger authority. There will be a different focus and priority for the funds and resources which will be incorporated in the much larger organisation. We in the northern suburbs believe that priority should be given to the completion of the Joondalup centre. That will not happen if the JDC becomes part of a much larger organisation.

We have not heard from the Minister any firm commitment about the Government's plans for the Joondalup centre. We have heard about the recreational facilities and some contribution towards senior citizens' centres, but no agreement has been reached between the City of Wanneroo and the Government. No documents have been signed and tabled in Parliament and, therefore, we do not believe that under this proposal the Joondalup centre will be able to proceed at the same rate that has been achieved under the Joondalup Development Corporation. I support the proposed amendment because until we can be assured that the Joondalup development will proceed with the same priorities and focus, we do not support the repeal of the Joondalup Centre Act. The Liberal Party does not support the functions and powers of the JDC being included in this much larger authority that will take in the whole metropolitan area, if not the whole State. We in the northern suburbs believe the rates and taxes taken from the City of Wanneroo in the past should be kept in the

area. The funds from the sale of the Joondalup golf course should be spent in that area, but as yet no commitment has been made along those lines by the Government.

Mr D.L. SMITH: The Joondalup Development Corporation is being included in this legislation for a range of reasons. Firstly, it is intended that the home base of this agency will be Joondalup and, indeed, ILDA and LandCorp have already moved to the building occupied by the JDC. It is intended that they will operate as an integrated group within that building. Savings will be achieved by the use of common staff, and savings will also be made in computer hardware programs, telephone connections and charges, and a range of other things. The work of the JDC will be enhanced by the additional staff and expertise that will be available as a result of the amalgamation. It will have the benefit of the combined funds of the three agencies, rather than just its own funds. More importantly, the JDC clearly will continue to function at Joondalup well beyond the date on which it would otherwise cease to function in that area.

Mr Lewis: You mean it will have the disbenefit of having to share those funds over a much bigger area.

Mr D.L. SMITH: All the agencies have net assets, those in excess of their liabilities, and the aggregated funds will be devoted to the purposes of the three agencies, but the concentration will be in Joondalup. The Government has already agreed to, and set up, a committee in consultation with the Wanneroo City Council, under the chairmanship of the member for Wanneroo, to develop a program for community works and other facilities that need to be provided, to develop a timetable for these to be provided, and to develop an agreement between the State Government and the Wanneroo City Council on how those works will be funded. One of the additional benefits of coming under this broader agency is that at present the work of the Joondalup Development Corporation is limited to the powers it has under its legislation, and the description of the land within its legislation. That does not enable it to provide general facilities for the benefit of the general population of the Wanneroo area. With the combination of the JDC and this new agency, it can do this specific work assigned under the Joondalup Centre Act and can also do the additional things this legislation will enable for the benefit of the general population of the Wanneroo area.

It is unfortunate that we are debating this tonight because I understand that the Wanneroo City Council is considering its attitude to the legislation tomorrow but, as a result of the assurances and agreements reached with that council, I expect it to support this legislation and the merger of the Joondalup Development Corporation into this instrumentality. Just as importantly, the JDC over a number of years has built up considerable expertise and staff who are skilled in the development of a regional centre. I do not believe that skill and the staff should be lost when the JDC ceases its work at Joondalup. Under this provision, those skills will be available to develop other regional centres whether at Cannington, Rockingham, Mandurah, Wagin, Northam or any of the other places on which the authority may decide to focus its range of skills. As a result of the combination of the industrial and residential lands provisions, if the authority decided to concentrate on a country regional centre, such as Northam, Wagin or Narrogin, it could do so with all the powers conferred by this legislation and with the experience of the staff who currently work for the JDC. The staff of the JDC comprises a number of different categories. It includes people primarily responsible for the planning of the centre, and their role as planners has largely come to an end. The final implementation phase involves staff who are concerned with landscaping and maintenance of various areas. We do not want those staff members to be gradually lost as the various functions at Joondalup are completed. The way to ensure the continued holding of those staff and to enable them to continue to work in the Wanneroo city and Joondalup areas is through the provisions of this legislation. In addition, it will have the benefit that all the staff of this authority will be based at Wanneroo, which will create new employment opportunities and improve the attractiveness of Joondalup as a business centre for the other corporations which have bought property or developed land in that area or who are seeking to do so.

Mr Lewis: Does the Minister for the Environment support you in this?

Mr D.L. SMITH: Everybody on this side of the Chamber supports the legislation. I assure all members, especially those opposite, that it is not in any way intended to curtail the good work of the Joondalup Development Corporation but to ensure that that good work continues

and that the corporation's skills are retained and used elsewhere in the State through an agency that will continue to be based at Joondalup. I oppose the amendment.

Mr WIESE: We have just had a nice snow job attempted on the Committee. If the Minister genuinely believes what he is saying he has marvellous powers of self-delusion. The reality of the situation is that the Minister can do anything he wants to do, and everything he says he is trying to do through this Bill, by amending the Joondalup Centre Act. The powers of that Act are specific and detailed. The powers in part II enable the Minister to do anything he likes, or the Joondalup authority to do anything it likes relating to development in the area. The only constriction on the Minister that I can see relates to the boundaries set by the Act. If the Minister wishes to widen the scope of the Act so that more money can be spent on facilities in the Wanneroo area rather than the areas encompassed by the schedule under which the Joondalup authority can currently act that is all he needs to do. The only conclusion one can come to is that his agenda is wider than that.

Mr D.L. Smith: We may include Wagin.

Mr WIESE: I wish I could believe that somebody on the Government side was seriously contemplating going out into some of the larger regional centres to make a substantial and worthwhile contribution to their development. The reality is that that is nonsense. It has not happened and it is unlikely that it will happen.

Mr D.L. Smith: Oh ye of little faith!

Mr WIESE: I have seen enough in the time I have been in this place to know that pigs do not fly; in fact, I learnt that before I came here. The reality is that these things will not happen. The Industrial Lands Development Authority has already been involved in the development of industrial land in the Narrogin area. It was also involved recently in the development of industrial land in the Wagin area. ILDA can go anywhere in this State and become involved in the development of industrial land. This legislation was not introduced to widen the scope of ILDA. What we are being told by the Minister is complete and utter nonsense and a snow job. I do not believe the Minister is revealing the truth.

Mr D.L. Smith interjected.

Mr WIESE: The Minister should never talk about any horse being a gift horse. My observation of people with horses is that the horses keep them poor. Giving a person a horse does not assist him greatly. In the same way, what the Minister is doing in this legislation will not provide assistance for anyone in inland Western Australia. The intent of this amendment is revealed in paragraph (d) rather than in paragraph (c); that is, that this legislation is setting up an authority which will have the money and resources already available to ILDA, and the Joondalup Centre Act will be used when this legislation comes into being to identify potential centres of population where resources can be used and where the powers of this legislation can be used to do a job which benefits the Government. That is not something the Parliament should accept or condone. For that reason I do not accept the guarantees or good wishes the Minister seems to be trying to convey to the Parliament because these things will not happen.

The amendment before us is the beginning of the real guts of the amending process. The amendments on the Notice Paper are directed at removing the Joondalup Centre from the functions of this authority. It is proceeding along a course which accepts the reality of the situation; that is, that the powers the Minister is talking about putting into this legislation can already be given to the Joondalup authority by moving a simple amendment to the Joondalup Centre Act. The other power being talked about to bring ILDA into the authority will not benefit anyone other than a few potential centres of population that the Government intends to identify and pour money into for the same reasons it has poured money into other small areas such as the Minister's Bunbury region where that was done through the South West Development Authority. I do not accept the Minister's protestations that what he is trying to do is for the good of the community. What he is trying to do is for the good of the Government. For that reason I support the amendment.

Mr D.L. SMITH: The member for Wagin has disappointed me tonight. In my view he is one of the hardest working members in this place and one who does a substantial job for his electorate and country people in general. In the end result, he does not appear to be a man of vision but rather another Hanrahan who wants the privilege of saying, "Poor old us; we have

all these troubles. Nobody wants to help us. Poor old us." When somebody offers help, the member does not believe them. He would stand in the middle of a drought or a flood saying how bad things were. All he wants to do is cry poor and complain. He does not have the vision to find the solutions which in the long term will be the salvation and lead to the development of the centres he purports to represent. I am sorry that, in the end, politics have clouded his vision and that he cannot see the enormous opportunity being offered to him by the passing of this legislation. I am disappointed if that is the attitude he intends to take to other parts of the Bill.

Mr LEWIS: I turn to some of the reasons the Minister has given as to why the Joondalup Development Corporation should be taken over and become part of the Western Australian Land Authority. The Minister said, firstly, that the Joondalup Development Corporation operates out of an office at Joondalup and that it was good that it would not have to move from there and that the Western Australian Land Authority would be established in that office. If where the office of a certain corporation will reside is a reason to repeal the Joondalup Centre Act, then the Minister's understanding of the reason that things happen is certainly different from mine.

Mr D.L. Smith: Ask people how they feel about the Department of Land Administration.

Mr LEWIS: That is not the point. The point is that the JDC can happily stay where it is, right alongside or on the same floor as the Western Australian Land Authority, if it so desires. The Western Australian Land Authority is out there now, in the guise of LandCorp, so what will change?

Mr D.L. Smith: The money that we are wasting in duplication of staff can be spent in Wanneroo.

Mrs Edwardes: How much is the duplication?

Mr D.L. Smith: It is literally hundreds of millions of dollars.

Mr LEWIS: The Minister referred to duplication of staff. The legislation provides that the Western Australian Land Authority will be able to charge a fee for its services. I would have thought it would be a good idea to have the JDC, the Industrial Lands Development Authority and the Western Australian Land Authority operate in one office, and that with some simple direction and administration the manpower to carry out the functions and duties of ILDA and of the JDC could be subcontracted by the Western Australian Land Authority and charged back.

Mr D.L. Smith: It will give the staff some permanence because the staff of the JDC will not survive the completion of the task.

Mr LEWIS: That is a false point. The officers of the JDC could easily shift their desks and chairs down a floor or behind a screen and carry on with their tasks quite comfortably.

Mr Wiese: Why not do that with the East Perth Redevelopment Authority?

Mr D.L. Smith: Because the East Perth redevelopment board needed specific planning powers and needed representation on the -

Mr LEWIS: That is not an argument either.

I return to the JDC and to the fact that the JDC has never paid any rates and taxes to the City of Wanneroo. There is a proper perception on the part of a lot of residents in the north west corridor that many of the benefits that are now accruing on the maturity of that Joondalup investment, which was a wonderful visionary project put in place by a previous Liberal coalition Government, which has done a pretty good job -

Mr D.L. Smith: It did not do a good job until a good Government got into place.

Mr LEWIS: Is it not remarkable! The fact is that a great amount of vision was shown by Hon Cyril Rushton and Sir Charles Court, who put in place the machinery for what we have today.

Mrs Watkins: It was modelled on the Salvado Bill.

Mr D.L. Smith: I agree with you. Members opposite had the same vision.

Mr LEWIS: Obviously the member for Wanneroo does not agree with the Minister, and

does not agree that some of the largesse that has come from the JDC by way of profit should be poured back. Does the member for Wanneroo not think that the money should be poured back?

Mrs Watkins: Of course I do.

Mr LEWIS: The bottom line is that the Liberal Party has told the Government and has made it perfectly clear in consultations with the City of Wanneroo that, until there is a written agreement between the Government and the City of Wanneroo about the facilities and infrastructure that have been promised to flow from the profits of the JDC, this Bill will flounder its way through a legislation committee of the other place. The Minister should get that message. It is insulting for the Minister to come in here, when he knows those facts, and try to push this Bill through without placing on the Table of this House exactly what are his undertakings to the City of Wanneroo. The Minister talks about the benefits that will flow. That is rhetoric. The Minister has suggested to us that we are long on rhetoric but short on action. However, I put the ball back in the Minister's court because on this issue he is large on rhetoric and microscopic on action. The Minister should negotiate the deal that he knows he will have to negotiate, and bring that signed deal to this Committee so that we can get on with passing some legislation that may benefit the State and that does not include the repeal of the Joondalup Centre Act. The real reason that the Government wants to include the JDC is that it wants to get its hands on the money. The Government is strapped for cash. The JDC has just sold the Joondalup Golf Course, and has broken a long held and oft repeated promise made by this Government that the golf course would not be sold. The reason the ministry changed is probably that the current Minister was not beholden to the previous promises and could sell the golf course for about \$20 million.

[The member's time expired.]

The DEPUTY CHAIRMAN (Mr Kobelke): Order! I ask all members who contribute to this debate to address the amendment which is before us at this time. The debate over the last four or five speakers has ranged from horses, to drought, to country areas, to the general purpose of the Bill. That is not within Standing Orders. We should be discussing this amendment. I hope members will assist the progress of this legislation by addressing the amendment before the Chair.

Mrs EDWARDES: I will direct my comments to the amendment; that is, the deletion of clause 15(1)(c). In this debate the Minister has said that the Joondalup Development Corporation will not survive to complete its task. The JDC will survive to complete its task unless this Government deems to drain it totally of resources and funds. That is the whole point of this Bill. The JDC presently has some funds. Under the Joondalup Centre Act the Government can transfer some funds to the Consolidated Revenue Fund after a decision has been made by the board, but in doing so the Government would have to account to the people of the northern suburbs for that transfer of funds. While those funds are part of one big pool it will take up to two years for anybody in the northern suburbs to find out where those funds have been spent, by the time a report has been prepared, tabled in Parliament, and so on. We want accountability on the expenditure of those funds to continue the development of the Joondalup Centre and we believe that the best place to achieve that accountability is through the JDC. The JDC will be able to complete its task provided that this Government does not drain it of its resources and funds.

Mr D.L. SMITH: I am afraid members opposite are always full of suspicion. They seem not to recognise that things are actually being done in the Joondalup area, whether it is the new sporting complex, the extension of the rail service, the development of the shopping centre or the police station, the provision of the environmental centre to Edith Cowan University, or the development of a new cultural centre. They are all part and parcel of what has already been done by the Government out there, and the cost of those developments is substantially more than the funds currently held by the JDC. In addition, we are committing ourselves to an agreed program of works with the City of Wanneroo, both within and without the area of the JDC, which again will substantially exceed the current level of funds held by the JDC and the value of all of its remaining assets. This vehicle will be the guarantee of performance of those future obligations. Members opposite are seeking simply to hang on to the JDC for a short time and then let it expire, and with it the benefits to the northern suburbs that the Western Australian Land Authority can continue to bring forever.

If the fiction about the Government's being short of funds and wanting to draw on these funds were true, members opposite well know that we could do that from the JDC direct. We would not need this new authority or any of these provisions. The only reason we need these new provisions is to ensure efficiency, to effect some savings, to ensure the continued presence of the development authority in Wanneroo, and to ensure that the benefits being felt by the people of Wanneroo are spread around the whole of the metropolitan area and the whole of country Western Australia. I am just sorry that the political aspirations of members opposite to get into Government are blocking off their view of what this legislation is really about; that is, ensuring proper regional development and proper development of regional centres and the ongoing benefit to the people of Wanneroo.

Mr LEWIS: The Minister just said that he feels it is for so-called political reasons that the Opposition does not want the Joondalup Development Corporation included in this legislation. That is an absolute nonsense. The Minister should explain to the Committee why the Government needs to include the JDC in this Bill, not why it should be excluded. The JDC has done a very good job on its own account. It sits within a very simple piece of legislation that has caused it no problems whatsoever. The Minister says that if the Government wanted the money it could take it anyway. I would challenge that, because section 45 of the Joondalup Centre Act states -

Where there is any surplus available in cash in the Account at the end of any financial year, the Treasurer may require the Corporation to pay . . .

It says "may require", but who determines whether it is surplus cash? That is where the problem lies, because the JDC has been determining that the profits it has accrued are not surplus and that it needs them as capital for the further works it wants to do. However, the Government has its greedy eyes on it and wants to tell the JDC it is surplus money. That is the bottom line. When one talks of selling golf courses for \$21 million or \$23 million, or when one talks of repatriating all of the profits currently tied up in infrastructure with the on-sale of the commercial properties and the balance of the residential land, and so on - and I mentioned this during the second reading debate - there is probably about \$50 million in surplus. Would the Minister deny that? Are those the sorts of funds sitting in Joondalup?

Mr D.L. Smith: The expenditure we are proposing in Wanneroo will substantially exceed that.

Mr LEWIS: That is the point: What is the Government going to put into Wanneroo? Where is it scheduled exactly what the Government will do? Where are the false promises made by the previous Minister, now the Minister for Transport, to reassure those people? That is how good the word of members opposite is. It is the spoken word; it is not even written down. It is all very well for the Minister to say what the Government is doing in the northern suburbs, but it is not doing anything. He has said what the Government will do, and when he includes the provision of the northern suburbs railway as one of the things that should be paid for by the JDC I would question that intent. That is not supposed to be paid for by the JDC or from the profits under the Joondalup Centre Act.

The provision of the northern suburbs railway is the responsibility of the whole of the metropolitan region and should not rest solely on the people of Joondalup, if that is what the Minister intended to say. I do not think he did, but perhaps it slipped out. The real reason he wants Joondalup included in this legislation is so that the Government can get its hands on the money.

Mrs Beggs: You are taking yourself too seriously once again. Nobody is listening to you.

Mr LEWIS: Did the Minister for Transport take herself seriously when she told lies to those people up there and made false promises?

Withdrawal of Remark

Mr PEARCE: Mr Deputy Chairman, I seek a withdrawal.

Mr LEWIS: I will withdraw the word "lies" but I will not withdraw the comment that she made false promises.

The DEPUTY CHAIRMAN (Mr Kobelke): Order! I ask the member to withdraw without further comment.

Mr LEWIS: What do you want me to withdraw, Mr Deputy Chairman?

The DEPUTY CHAIRMAN: You said you would withdraw but then went on to qualify the withdrawal. Perhaps you could make a withdrawal and we could then get on with the debate.

Mr LEWIS: Mr Deputy Chairman, I withdraw the word "lies".

The DEPUTY CHAIRMAN: Thank you.

Committee Resumed

Mr LEWIS: The fact is that the Minister for Transport did make promises time and time again, and this Government has wilfully broken them.

Mrs Beggs: What promise?

Mr LEWIS: The promise that the Minister would not sell the golf course. She knows that she made that promise. Does the Minister deny that she made that promise?

Mrs Beggs: I deny the member's assumption. I made no promise.

Mr LEWIS: Did the Minister make a promise that she would not sell the golf course?

Mrs Beggs: I made no promise.

Mr LEWIS: It is good to have that on the record. The former Minister for Planning did not promise that the golf course would not be sold.

Mrs Beggs: I know exactly what I said. The member should check what I said.

Mr LEWIS: It is now on the record that the Minister says she made no promise and therefore has not broken any promise. The Minister has been caught out tonight. She interjected at the wrong time, and she has been nailed. She will wear it, because we will let the people know.

Mrs Beggs: There is no problem with what has happened at the golf course at Joondalup.

Mr LEWIS: The problem is that time and again the Government makes promises, the Minister makes promises, because it is politically expedient. The promises are broken because the Government did not intend to keep them in the first place.

Mrs Beggs: The people are happy about the arrangement with the golf course. The member is out of touch. He should not attempt to represent people north of the river, because he does not know what happened.

Several members interjected.

Mr LEWIS: The Government has included the Joondalup Centre Act in the legislation because it wants to get hold of the \$50 million that is waiting to be taken. The Government is stony-broke and it does not know how it will fund its pork-barrelling exercise for the coming election. These funds will help the Government in that exercise in the northern suburbs.

Mrs EDWARDES: Can the Minister advise the Chamber about the negotiations that have taken place with the City of Wanneroo? How far have the negotiations gone and when will the Minister table an agreement between the Government and the City of Wanneroo?

Mr D.L. SMITH: The comments by the member for Applecross are simply a baseless series of allegations and histrionics, and I will not bother to reply to them. To answer the member for Kingsley, the consultative committee is operating. By the end of the next sitting I hope to be in a position to table the agreement. The member for Wanneroo chairs the consultative committee and she will be pleased to communicate progress as it occurs.

Division

Amendment put and a division taken with the following result -

Ayes (19)

Mr C.J. Barnett
Mr Bloffwitch
Mr Clarko
Mr Court
Mr Cowan

Mrs Edwardes
Mr Grayden
Mr Kierath
Mr Lewis
Mr McNee

Mr Minson
Mr Omodei
Mr Shave
Mr Strickland
Mr Trenorden

Mr Fred Tubby
Mr Watt
Mr Wiese
Mr Bradshaw (*Teller*)

Noes (21)

Mr Michael Barnett	Dr Gallop	Mr Pearce	Dr Watson
Mrs Beggs	Mr Graham	Mr Riebeling	Mr Wilson
Mr Bridge	Mr Grill	Mr Ripper	Mrs Watkins (<i>Teller</i>)
Mr Catania	Mr Leahy	Mr D.L. Smith	
Mr Cunningham	Mr Marlborough	Mr P.J. Smith	
Dr Edwards	Mr McGinty	Mr Thomas	

Pairs

Mr House	Mr Gordon Hill
Mr Blaikie	Mr Troy
Mr Ainsworth	Mrs Henderson
Mr MacKinnon	Dr Lawrence
Dr Turnbull	Mr Read
Mr Nicholls	Mr Taylor

Amendment thus negatived.

Mr LEWIS: I move -

Page 10, lines 2 to 8 - To delete the lines.

This amendment is consequential to our requirement to remove from this legislation the repeal of the Joondalup Centre Act and to allow the Joondalup Development Corporation to continue in its own right. Our argument has already been debated to some extent; however, other members may wish to comment. The amendment seeks to delete reference to "Joondalup Centre" because it would be of no consequence if our requirement is accepted.

Mr WIESE: Subclause (2) relates to the provision of infrastructure and facilities for the population in the Joondalup area. The comments by the Minister about the previous amendment gave the impression that it was the Government's intention that the money already placed with the Joondalup Development Corporation was intended to be used on the northern suburbs railway line under the provisions of this legislation because this clause addresses the provision of infrastructure. It was never my belief that this was the Government's intention. Other members appear to have that impression as a result of the Minister's comments. The Minister should clarify whether that is part of the intent of this legislation. If that is not the intention, the Minister must make a categorical statement to the effect that none of the money from the Joondalup Development Corporation will be used for the provision of that railway line. Many people will be surprised and disappointed were that to happen.

Mr D.L. SMITH: None of the money will be used for the railway line. The member will be aware that the line is being deviated to go under the shopping centre, and facilities will be provided around that. Some of the money from the Joondalup Development Corporation will be used to develop the shopping centre and part of the infrastructure around the railway station.

Mr Lewis: Private developers are developing the shopping centre.

Mr D.L. SMITH: Private developers are presently developing the shopping centre, but are not doing the railway line. They are developing the centre and its associated infrastructure.

Mr Lewis: Therefore, the Joondalup money will be used to build the railway station.

Mr D.L. SMITH: I did not say the railway station; I said the infrastructure around the station, because the line will go under the shopping centre.

Mr Lewis: That is the usual course today. It is often seen overseas.

Mr D.L. SMITH: Tell me where else in Western Australia we have a railway line going under a shopping centre. I assure the member for Wagin that the gross expenditure for the sport, cultural and environmental centres and other community facilities will be programmed with the Wanneroo City Council, and the total expenditure will exceed the net worth of the Joondalup Development Corporation. All the money will be spent in the Wanneroo area for community facilities and infrastructure and not on facilities that the Government would otherwise provide as a matter of course.

Amendment put and negatived.

Mr LEWIS: I move -

Page 10, after line 10 - To insert a new subclause (3) as follows -

- (3) In the case of residential land, the social and economic needs of the State shall be limited to -
- (a) the provision of subdivided land for social needs to people who would otherwise be unable to afford to acquire a home;
 - (b) the provision of subdivided land at the lower end of the market purely to provide a competitive element in that market;
 - (c) the holding of potential residential land for disposal in superlots to ensure that there is a continuous supply of residential land; and
 - (d) the provision of subdivided land in those more remote areas of the State where in the opinion of the Minister there is no private developer willing or adequately able to provide that land,

and in the case of non-residential land, shall be limited to provision of such land where there is no other government authority which would have power to carry out that task.

The thrust of this amendment is that the land authority should involve itself only in the provision of the development of land, principally to meet the social needs of people who would otherwise be unable to afford a home. The proposed subclause would restrict the authority to providing subdivided land at the lower end of the market and to the holding of potential residential land for disposal into superlots to ensure that a continuous supply was available and that the residential land market was monitored.

The amendment also provides for the provision of subdivided land for remote areas of the State where, in the opinion of the Minister, no private developers were available to satisfy that need. Listening to the Minister tonight, it seems the intent of the amendment virtually mirrors what the Minister said. He suggested that he did not embrace the traditional Labor Party philosophy and agreed that the authority should operate in the market on an equal footing with the private sector; that is, on the basis of providing housing land for people who could not afford otherwise to acquire the land. This will satisfy the social needs in providing land in the bottom end of the market which traditionally the former Urban Land Council used to do and which it has been agreed the development authority will do. The authority will hold land for future disposal.

Bearing in mind that the Minister has harped on about the need to provide subdivisions in regional areas because the private sector does not operate there, I want the National Party to understand that this amendment includes within the functions of the authority a statement that it is incumbent on the authority to provide that service in remote areas. This amendment does not repudiate what the Minister has been saying tonight; if the Minister is dinkum about what he has said, he will have no hesitation in embracing this amendment. If he does so, we can get on with the job and the Chamber will probably rise by 12.30 am. Otherwise I must hear the Minister contradict his rhetoric; something he says that we do all the time.

Mr D.L. SMITH: Briefly, the objective of this proposed agency is to absorb LandCorp, and to return it to the old Urban Land Council directions. I have already read into *Hansard* a description of the task of the former Urban Land Council, and that description is one I adopt. However, that description is not consistent with the statements of the member for Applecross or the amendments he has proposed. In addition, it is intended that the agency will adopt the work of the Industrial Lands Development Authority and the Joondalup Development Corporation. It will seek to have a broader brief than that provided by the amendment, especially in country areas. The member's amendment simply restricts and castrates the authority, which suits his philosophy but does not suit the proper role of a regional development authority as is provided by the Bill.

Mr C.J. BARNETT: The amendment moved by the member for Applecross goes to the core

of this legislation. What is the Government really on about? The amendment lays down four valid reasons for the land authority to exist, yet the Government cannot come to grips with that. The first reason provided in the amendment relates to the social need to provide land for people who would not otherwise be able to afford land for housing. Members on this side of the House have said from the outset that they accept and endorse the social responsibility to help people at the lower end of the socioeconomic spectrum.

The second reason contained in the amendment relates to the first: This refers to the Government's becoming involved in, and providing a competitive element at, the lower end of the market. The Government may want to have a public supply of land as a competitive force to the private supply of land at the lower end of the market; however, there is no social justification for public participation in the upper end of the market, but that has been happening. I refer to some of the very high priced residential land with river views, ocean views and river frontages currently being developed by LandCorp which is targeted at the very upper end of the market. LandCorp has the advantages of not being liable for the normal sort of stamp duty and land tax that would apply to private developers. LandCorp is in fact passing on a social subsidy to the wealthiest members of our community.

Mr Court: Perhaps the Minister for Housing might like to comment?

Mr McGinty: I will, but not tonight.

Mr C.J. BARNETT: It will be the Minister's only chance.

The third reason is not so much a social reason but an economic one. A land authority needs to be able to develop super lots to make sure land that has gone through all the necessary approval processes is available to be brought onto the market by private developers. That is effectively the land banking and planning operations and on grounds of economy and of trying to smooth out the economic cycles in land prices it is worth doing.

Mr Court: I think the Minister for Housing would agree with what you are going to say.

Mr C.J. BARNETT: He is not awake enough to comprehend that.

The fourth reason is again a social and economic reason for the development of remote areas. It is the case that there might be a hesitancy or reluctance on the part of private developers to get involved in remote areas - perhaps simply for the reason they have no experience in operating in that area because there is not a sufficient volume of residential lots coming onto the market to make it worth their while. Therefore, to get development of urban land in those areas I concede that the only way that will happen is through some sort of Government participation. Whether that should be by direct development by Government or some form of subsidised arrangement to encourage private developers who may do it more efficiently is another question. It is a valid point that should be considered. This amendment is critical, because it is asking the Government whether it understands its own Bill, and the social and economic justification for Government involvement in land development. The Government does not understand what it is trying to achieve by this Bill. In a later part of this debate the Opposition will move amendments to bring Homeswest under this legislation. Homeswest is the agency within the metropolitan area that owns and develops about 70 per cent of Government land coming on the market. So if this proposed authority is to have any role in land development, in affecting the market, in meeting the lower socioeconomic end of the market, it must include the largest land developer in the Government sector and that is Homeswest. At the moment Homeswest has some quite peculiar policies for land development.

Mr D.L. Smith: This is not the clause that deals with Homeswest.

Mr C.J. BARNETT: This clause is important because it gets to the reasons the Government should be involved in land development. Homeswest, through its bizarre policies, has spent in two of the last three years more in land development than in housing. It has pursued a policy of trying to disperse public housing throughout the community. That sounds quite okay and is quite a worthwhile and valid objective, but instead of spreading it around and building clusters of houses in certain areas, the approach it has taken is to develop a whole suburb so Homeswest can take every tenth lot. The policy objective of spreading Homeswest residences has been used by the bureaucrats as a rationalisation for being major land developers of whole residential areas. I do not believe that is a valid social objective. I do not disagree with the idea of spreading Homeswest housing units but the mechanism of

achieving that is quite dysfunctional and explains why Homeswest has been caught holding so much land. In terms of economic return it is not a rational step. This clause and subsequent amendments to include Homeswest within the legislation will challenge the Minister on why the Government has -

The DEPUTY CHAIRMAN (Mr Kobelke): We are dealing with this amendment and references to later amendments are not appropriate. That was the third time the member for Cottesloe started to discuss a matter which relates to a later amendment. Could the member for Cottesloe direct his comments specifically to this amendment?

Mr C.J. BARNETT: I believe I am doing so because this amendment concerns the appropriate role for Government in land development. The member for Applecross has mentioned four appropriate roles and I am pointing out that current Government activity in land development is not within those reasons. That is why the Opposition is suggesting to the Government these four reasons. We are trying to explain to the Government what its Bill should be about. The Minister has given three different reasons for this Bill. He has talked about evening the market, regional development and rationalising and coordinating agencies. But here are the four valid reasons for Government participation in urban land development.

Mr Court: I think the Minister for Housing supports that.

Mr McGinty: It is far too narrow. If that is the Opposition's perception of the Government's role, it has a narrow and blinkered view of the appropriate role of Government.

Mr C.J. BARNETT: Perhaps the Minister for Housing lets the cat out of the bag; perhaps what this Government wants is to have an authority that can go wild all over the metropolitan area and the State on all sorts of land development schemes, land with river views, up market land, and subsidies for the rich. All of those things currently happen under LandCorp. Perhaps the Government is about another Western Australian Development Corporation: Deals to flog off land, redevelop railway land and all the things the Government wants to do to supplement the Budget. When the Government is confronted with the amendment and asked to debate these four valid reasons it ducks for cover.

Mr D.L. SMITH: I am constantly surprised at the way members opposite are able to paraphrase to suit themselves but apparently never listen to anything that is said to them. Tonight I read to members opposite the functions of the old Urban Lands Council that was established by a Liberal Government. If the Opposition were willing to include these provisions, these are the objectives of the residential land side of this new corporation. They are the same as they were then and state -

- (1) To advise the Minister on
 - i) supply, demand and price of both developed and undeveloped urban land in the Metropolitan area and certain regional centres, principally for residential purposes
 - ii) initiatives which can be implemented to overcome constraints or take advantage of opportunities identified in (i) above.

Influence Supply and Price

- (2) To influence the availability and price of land for current and future urban development by physically providing land for residential and ancillary commercial, social and recreational needs.
- (3) To efficiently and effectively manage, develop, market and allocate land resources to ensure an adequate supply of land is available for low to moderate income first home buyers, at a reasonable price, in a range of localities (in accordance with Government policies and objectives).

Agency Role

- (4) To undertake planning, development and marketing of Crown land which is surplus to requirements so as to maximise the overall benefit to the State.

Mr C.J. Barnett: So what? That is an organisation set up in the 1970s which was actually fairly effective. It is now 1992. Two decades have gone past and the Minister has not noticed.

Mr D.L. SMITH: This definition of the objectives is the one adopted by the Government. We do not accept the Opposition's very narrow philosophical view of what the agency should be about.

Mr C.J. Barnett: Tell me what its objectives are.

Mr D.L. SMITH: I am reading them to the member for Cottesloe. The objectives continue -

Encourage Participation by Other Organisations

- (5) To encourage private, joint venture and other investment in land development to meet as wide a range of market needs as possible.

Urban Renewal

- (6) To analyse the potential for urban renewal and revitalization projects to enhance the supply of residential land and upgrade the urban fabric in well located areas.
- (7) To implement development proposals relating to urban renewal where feasible, in conjunction with relevant Government and private bodies.

Social Integration

- (8) To provide developed lots specifically for the requirements of Homeswest clients to facilitate the Government's policy of social integration.

That is the summary of the Government's view of what the residential land side of this agency should be about. They are what the old Urban Lands Council was about, and although the Opposition may think that the functions of the old Urban Lands Council are no longer required, that is not the view of the Government and the Opposition should stop trying to put words in our mouth. That is what this legislation is about in residential terms and the Opposition's provisions go nowhere near enabling this authority to fulfil that broader spectrum that the old Urban Lands Council used to fulfil.

Division

Amendment put and a division taken with the following result -

Ayes (19)			
Mr C.J. Barnett	Mrs Edwardes	Mr Minson	Mr Fred Tubby
Mr Bloffwitch	Mr Grayden	Mr Omodei	Mr Watt
Mr Clarko	Mr Kierath	Mr Shave	Mr Wiese
Mr Court	Mr Lewis	Mr Strickland	Mr Bradshaw (Teller)
Mr Cowan	Mr McNee	Mr Trenorden	
Noes (21)			
Mr Michael Barnett	Dr Gallop	Mr Pearce	Dr Watson
Mrs Beggs	Mr Graham	Mr Riebeling	Mr Wilson
Mr Bridge	Mr Grill	Mr Ripper	Mrs Watkins (Teller)
Mr Catania	Mr Leahy	Mr D.L. Smith	
Mr Cunningham	Mr Marlborough	Mr P.J. Smith	
Dr Edwards	Mr McGinty	Mr Thomas	
Pairs			
Mr House		Mr Gordon Hill	
Mr Blaikie		Mr Troy	
Mr Ainsworth		Mrs Henderson	
Mr MacKinnon		Dr Lawrence	
Dr Turnbull		Mr Read	
Mr Nicholls		Mr Taylor	

Amendment thus negatived.

Mr COURT: Clause 15(1)(d) provides a fairly broad brief to the Western Australian Land Authority. Will the Minister explain the types of infrastructure and facilities in which this

authority would be involved? For example, if it were involved in opening up new centres of population, would it be involved in the building of shopping centres under the functions provided in clause 15? Will the authority become a developer not only of land for residential or industrial purposes but also for commercial operations? This is a very wide function and it makes it possible for the authority to be involved in anything.

Mr D.L. SMITH: The clause gives the authority the same powers as the Joondalup Development Corporation has had in relation to development of infrastructure and facilities including the development of shopping centres. The member for Nedlands will be aware that the JDC is involved in a joint venture in developing the new shopping centre under which the railway will be constructed at Joondalup. The member for Applecross indicated that that was being done by private enterprise. That is not true; it is being done by private enterprise and the JDC in a joint venture. WALA will also be involved in those sorts of developments in the same way as the JDC has been involved at Joondalup.

Clause put and passed.

Progress

Progress reported and leave given to sit again, on motion by Mr D.L. Smith (Minister for Lands).

House adjourned at 12.47 am (Wednesday)

QUESTIONS ON NOTICE

TAFE - DISABILITY SERVICES UNIT
Budget 1991-92, Expenditure Breakdown

116. Mr MacKINNON to the Minister representing the Minister for Education:

Will the Minister provide a breakdown in relation to how the \$254 000, referred to in (5) of question 1936 of 1991, is spent?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

There was a mathematical error in the answer to question 1936(5) of 1991. The correct amount for the disability services unit's 1991-92 budget is \$253 000 - Commonwealth funds \$171 000; State \$82 000 - not \$254 000. The following is a breakdown of the expenditure budget for the unit in 1991-92 -

Salaries	\$230 500
Contingencies	11 500
Assistance for students with hearing impairment	<u>11 000</u>
	<u>\$253 000</u>

LIBRARY AND INFORMATION SERVICE OF WESTERN AUSTRALIA
(LISWA) - BUDGET ALLOCATIONS 1988-92
Actual and Estimated Expenditure - Services Cutback

128. Dr CONSTABLE to the Minister representing the Minister for The Arts:

- (1) What was the budget allocation for the State Library Service for each year from 1988-1992 inclusive?
- (2) (a) What was the actual expenditure of the State Library Service for each year from 1988-1991;
- (b) what is the estimated expenditure of the State Library Service for 1992?
- (3) Which services, if any, have been cut back in the past 12 months?

Dr GALLOP replied:

The Minister for The Arts has provided the following reply -

- (1)

1988-89	\$21 700 000
1989-90	\$22 270 000
1990-91	\$21 827 000
1991-92	\$21 420 000
- (2) (a)

1988-89	\$22 984 000
1989-90	\$23 069 000
1990-91	\$22 479 000

LISWA's actual expenditure exceeds the CRF allocation as LISWA generates income and receives income from a variety of sources.

- (b) \$22 197 000.
- (3) LISWA continues to provide a wide variety of services. Services provided have varied through organisational review to increase productivity and ensure optimum management of programs. Public library new book ordering rates have been reduced.

MOTOR VEHICLES - INSPECTION FEES
Current Levels

156. Mr MacKINNON to the Minister for Transport:

- (1) What are the current levels of vehicle inspection fees for -

- (a) all sedans, station wagons, vans and utilities;
- (b) all types of motor cycles;
- (c) all vehicles over 4.5 tonnes or 4 500 kilograms?
- (2) When were these fees last increased?
- (3) What were the same fees as at 30 June 1985?

Mrs BEGGS replied:

- (1) (a) \$36 - for vehicles less than 4.5 tonnes or 4 500 kilograms.
- (b) \$24.
- (c) \$56.
- (2) 1 October 1991.
- (3) As listed in (1) above.
- (a) \$12.
- (b) \$10.
- (c) (i) Articulated vehicles - wagon and semitrailer in combination - \$24.
- (ii) Motor wagon with dual wheels, prime mover, omnibus - \$22.

**BUILDING AND CONSTRUCTION INDUSTRY FORUM - ESTABLISHMENT
DATE
*Membership***

166. Mr MacKINNON to the Minister for Housing:

- (1) When will the building industry forum be established?
- (2) Who will be the members of the forum?
- (3) What will be the purpose of the forum?
- (4) What will be its relationship with the Building Industry Consultation Council?

Mr McGINTY replied:

- (1) On 8 April, the Premier released the guidelines for the private provision of public infrastructure and the Government's three year capital works schedule. As part of that announcement, it has been determined that these initiatives should fall within the Premier's portfolio. Further, the Premier also announced the establishment of the Public Infrastructure Advisory Committee which will include representatives from industry, trade unions and the State Government. As a consequence, the building and construction industry forum will no longer meet. The public and private sector will coordinate under the auspices of the Public Infrastructure Advisory Committee.

- (2)-(4) Not applicable.

**SCHOOLS - ROSSMOYNE PRIMARY
*Construction Work - Restrictive Work Practices Impact***

193. Mr KIERATH to the Minister representing the Minister for Education:

- (1) (a) With respect to construction work carried out at Rossmoyne Primary School, does the Government have a policy of exclusively employing the Building Management Authority, rather than primate companies on construction projects at schools;
- (b) if so, why?
- (2) Why did the construction work at Rossmoyne Primary School take five months to complete, and cost nearly \$200 000?
- (3) (a) What was the estimated time of completion at the start of the job;

- (b) what was the estimated cost?
- (4) (a) Was a private enterprise estimate obtained for comparison;
- (b) if not, why not?
- (5) Did the Rossmoyne Primary School community suffer because of restrictive work practices and threats of industrial action when those work practices were questioned?
- (6) What action is the Minister taking to ensure that school communities do not suffer when restrictive work practices are questioned?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) (a) No. Of the 52 school projects in the 1991-92 capital works budget BMA allocated 17 of these to its day labour force.
- (b) Not applicable.
- (2) The programmed time to complete the works was consistent with normal commercial construction times for a project in an occupied premise. The project was staged to accommodate the operational requirements of the school during construction.
- (3) (a) At the time of commencement, the occupancy date was estimated to be 30 March 1992. Actual occupation occurred on 6 April 1992.
- (b) \$195 000.
- (4) (a) No.
- (b) As this project was allocated by the BMA to its day labour force no tenders were called.
- (5) BMA management, in consultation with the school, endeavoured to minimise any impact on the school.
- (6) Consultation with school communities and unions is undertaken in an endeavour to reach agreement on all issues and avoid disruption to school programs.

EMPLOYMENT, VOCATIONAL EDUCATION AND TRAINING, DEPARTMENT OF - COLLEGES

Private Company Printing and Photocopying Contracts

202. **Dr CONSTABLE** to the Minister representing the Minister for Education:

- (1) Have any colleges of the Department of Employment, Vocational Education and Training contracted out printing and/or photocopying to private companies?
- (2) If yes, which colleges?
- (3) If yes, what are the names of the companies to which contracts have been given?
- (4) Who are the principals of these companies?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) Yes.
- (2) Central Metropolitan College
North Metropolitan College
South Metropolitan College
South East Metropolitan College
Geraldton Regional College
South West Regional College

Great Southern Regional College
TAFE External Studies College

- (3) West Coast Print
FCB Industries
Abbott & Co Printing
Quality Press
Metro Press
Labels Plus
Sciotech West
Fineline
Crystal Print
Confidential Print & Copy Centre
Bluebird Print
Swift Copy Service
Cross Print
Snap Printing
Southern Publishing
Concord Printing
Quickforms
Parkin Print
Inkspot Printing
Professional Printers Pty Ltd
G & F Printing Service
Gosnells Printing Service
Educational Directions Publications
Geraldton Newspapers
Beemac Print
Suncity Print
Sprint Print
A & L Printing, Bunbury
Dynamic Print, Bunbury
Collie Mail
Manjimup Printing Co
Albany Advertiser
Albany Printers
Great Southern Printers
Perma Productions
Scott Four Color Print
Frank Daniels Pty Ltd
Picton Press
- (4) Neil Grant - West Coast Print
T B & Chest Assoc - FCB Industries
J C Abbott, M S & E C Abbott - Abbott & Co Printing
Frank Kellett - Quality Press
Ivan T Smith - Metro Press
Jim Reid - Labels Plus
Mr V. Nolan - Sciotech West
Mr D. Roxley and Mr R. Sines - Fineline
Mr A. Whiteside - Crystal Print
Mr Ces Scott - Confidential Print & Copy Centre
Ms Lisa Miles - Bluebird Printing Services
Mr David Butt - Swift Copy Service
Ms Lyn Chaplin, Mr Frank Cross - Cross Print
Mr Richard Lilley - Snap Printing
Mr F. Tyson - Southern Publishing
Mr R. Berry - Concord Printing
Mr M. Nicholson - Quickforms
B & K Samells - Parkin Print
B & G Rosnan - Inkspot Printing

Mr Terry Bick - Professional Printers
 Mr Patrick Keely - Gosnells Printing Service
 Mr Gavin Birmingham - G & F Printing Service
 Mr Greg Hum - Educational Directions Publications
 Mr Ross Mortak & Chairman, Public Company Unlisted - Geraldton Newspapers
 Mr Brian Wood - Beemac Print
 Mr and Mrs Alan and Val and Ken Ward - Suncity Print
 Mr David Tanson - Sprint Print
 Mr Arthur Buswell - A & L Printing, Bunbury
 Mr Ian Farrell - Dynamic Print, Bunbury
 Mr Joe Italiano - Collie Mail
 Mr and Mrs F. & B. Wood - Manjimup Printing Co
 Mr A. Elvin - Albany Advertiser
 Mr and Mrs C. and M. Smith - Albany Printers
 Messrs F. & P. Forgione - Great Southern Printers
 Unavailable - Perma Productions; business no longer operational
 Messrs M. and D. Scott - Scott Four Color Print
 Mr D. Williamson - Frank Daniels Pty Ltd
 Messrs K. McKay and M. Paton - Picton Press

Explanatory note - it should be noted that the information provided by colleges dates back at least two years. The print facility at the TAFE External Studies College is not used, as it is fully scheduled for the production of departmental textual materials. The materials which are sent out to print, are predominantly course reading materials, lecture notes and other written materials which are provided to assist students on course. Finally, it should also be noted that most of the colleges indicated that they forward substantial amounts of printing requests to State Print; however, the question refers to private printing companies only.

SCHOOLS - PRIMARY SCHOOL ENTRY AGE *Lowering from Six to Five Years Consideration*

220. Mr AINSWORTH to the Minister representing the Minister for Education:

- (1) Is the Government considering lowering the primary school entry age from six years to five years?
- (2) If yes -
 - (a) what consultation has taken or will take place with parent groups;
 - (b) what estimated additional staff and financial resources would be required?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

(1)-(2)

No. However, following the meeting of Premiers in Adelaide in November 1991 the Premier agreed to consider the provision of optional full time preprimary education for five year olds with a view to a nationally consistent approach to schooling throughout Australia. No decision has been taken on this matter.

LOCAL GOVERNMENT - WARD BOUNDARIES OR COUNCIL REPRESENTATION AMENDMENTS *Ministerial Order or Notice*

222. Mr WIESE to the Minister for Local Government:

- (1) How many local governments have had alterations to their ward boundaries or council representation altered by ministerial order or notice?
- (2) How many of these changes were requested by the local governments concerned?

- (3) Which local governments have been affected and which of them complied with the ministerial order -
 - (a) voluntarily
 - (b) under duress?
- (4) (a) Have any local governments not complied with the Ministerial order or notice;
 - (b) if so, which ones?

Mr D.L. SMITH replied:

- (1) Amendments have been made to the electoral systems of 45 local governments for the May 1992 elections.
- (2) None.
- (3) Compromise agreements on representation were reached with the following local governments - Albany Shire, Bridgetown-Greenbushes, Brookton, Bruce Rock, Chapman Valley, Corrigin, Dalwallinu, Dandaragan, Dardanup, Denmark, Esperance, Gnowangerup, Greenough, Irwin, Kalamunda, Katanning, Menzies, Moora, Mt Magnet, Northampton, Pingelly, Plantagenet, Quairading, Shark Bay, Swan, Three Springs, Upper Gascoyne, Wagin, Waroona, Wyalkatchem, Bayswater, Canning, Cottesloe and Kwinana.
 Agreement was not reached with the following local governments - Carnamah, Cue, Donnybrook-Balingup, East Pilbara, Jerramungup, Mingenew, Morawa, Mukinbudin, Mullewa, Roebourne and Waroona.
- (4) Pursuant to section 12 of the Local Government Act, the Governor has made orders in respect of the amendment that will apply for the May 1992 elections. Negotiations are continuing on amendments for the May 1993 elections.

HOSPITALS - HOLLYWOOD

Sale to Private Enterprise - Veterans' Health Care

245. Mr MINSON to the Minister for Health:

- (1) Will Hollywood Hospital be sold to private enterprise?
- (2) Will Hollywood Hospital still cater for veterans or will the veterans requiring health care be incorporated into other public hospitals in the State?

Mr WILSON replied:

- (1) As the Hollywood Repatriation Hospital is the responsibility of the Commonwealth Government these questions should be directed to the Federal Minister for Veterans Affairs.
- (2) The State Government has made it clear to the Commonwealth that there is a need for further consultation about the future involvement of public hospitals in the provision of health care to veterans before any final decisions are made.

GOVERNMENT MOTOR VEHICLES - PREMIER; TREASURER; MINISTER FOR THE FAMILY; WOMEN'S INTERESTS

Statistics, Allocation Policy, Public Service Officer Classification Level

246. Mr NICHOLLS to the Premier; Treasurer; Minister for the Family; Women's Interests:

- (1) How many motor vehicles are attached to the Premier's departments?
- (2) What is her policy of allocation to and usage by public service officers and/or sub-departments?
- (3) What is the classification level of the public service officers to whom the motor vehicles have been allocated?

Dr LAWRENCE replied:

- (1) Refer to list which has been tabled.

[See tabled paper No 119.]

- (2) Primarily, vehicles are purchased to meet the operational need of the agency. However, vehicles can be used by officers where the officer has a salary packaging arrangement providing for the private use of an ordinary plated Government vehicle or where an officer is eligible to contribute to the executive vehicle scheme. The accountable officer may also approve the taking of a vehicle at the end of the working day due to a lack of security at work sites or for operational reasons such as being on call early morning, late meeting, site or client visits. However, vehicle use is restricted to commuting only.
- (3) An officers classification does not automatically imply entitlement to a vehicle. However, officers who contribute to the executive vehicle scheme are generally covered by the senior executive service; that is, normally level 9 and above.

**GOVERNMENT MOTOR VEHICLES - DEPUTY PREMIER; MINISTER FOR
STATE DEVELOPMENT; GOLDFIELDS**

Statistics, Allocation Policy, Public Service Officer Classification Level

247. Mr NICHOLLS to the Deputy Premier; Minister for State Development; Goldfields:
- (1) How many motor vehicles are attached to the Deputy Premier's departments?
 - (2) What is his policy of allocation to and usage by public service officers and/or sub-departments?
 - (3) What is the classification level of the public service officers to whom the motor vehicles have been allocated?

Mr TAYLOR replied:

See the Premier's response to question 246.

**GOVERNMENT MOTOR VEHICLES - MINISTER FOR AGRICULTURE;
WATER RESOURCES; NORTH-WEST DEPARTMENTS**

Statistics, Allocation Policy, Public Service Officer Classification Level

251. Mr NICHOLLS to the Minister for Agriculture; Water Resources; North-West:
- (1) How many motor vehicles are attached to the Minister's departments?
 - (2) What is his policy of allocation to and usage by public service officers and/or sub-departments?
 - (3) What is the classification level of the public service officers to whom the motor vehicles have been allocated?

Mr BRIDGE replied:

See the Premier's response to question 246.

**GOVERNMENT MOTOR VEHICLES - MINISTER FOR HOUSING;
CONSTRUCTION SERVICES; HERITAGE DEPARTMENTS**

Statistics, Allocation Policy, Public Service Officer Classification Level

258. Mr NICHOLLS to the Minister for Housing; Construction Services; Heritage:
- (1) How many motor vehicles are attached to the Minister's departments?
 - (2) What is his policy of allocation to and usage by public service officers and/or sub-departments?
 - (3) What is the classification level of the public service officers to whom the motor vehicles have been allocated?

Mr McGINTY replied:

- (1) Refer to table below for details -

Agency	Passenger Vehicles	Light Commercial	Heavy Commercial	Plant	Total Vehicles
Homeswest	164	41	4	22	231
BMA	130	185	14	45	374
State Services	25	20	6	4	55
Heritage	1	0	0	0	1
National Trust	1	0	0	0	1
Total	321	246	24	71	662

Motor vehicle fleets as at 1 March 1992. "Plant" includes tractors, graders, trailers, caravans and other miscellaneous vehicles.

- (2) Primarily, vehicles are purchased to meet the operational need of the agency. The accountable officer may approve the taking home of a vehicle at the end of the working day due to a lack of security at work sites or for operational reasons such as being on call early morning, late evening, site or client visits. However, vehicle use is restricted to commuting only. Vehicles may also be used by officers who contribute to the executive vehicle scheme.
- (3) An officer's classification does not automatically imply entitlement to a vehicle. However, officers who contribute to the executive vehicle scheme are generally covered by the senior executive service; that is, normally level 9 and above.

INDUSTRIAL LANDS DEVELOPMENT AUTHORITY - LEGISLATION EXPIRY DATE

280. Mr COURT to the Minister for Lands:

- (1) Does the Industrial Lands Development Authority legislation expire on 1 July 1992?
- (2) If not, what is the expiry date?

Mr D.L. SMITH replied:

- (1) Yes.
- (2) Not applicable.

INDUSTRIAL LANDS DEVELOPMENT AUTHORITY - COMPUTER HARDWARE AND SOFTWARE PURCHASE

281. Mr COURT to the Minister for Lands :

- (1) Has the Industrial Lands Development Authority recently purchased new computer hardware and software?
- (2) If so, what was the total cost of the hardware and software purchased, including installation?
- (3) What is the anticipated date of live operation for the new system?

Mr D.L. SMITH replied:

- (1) Yes. With the co-location of Joondalup Development Corporation, LandCorp and Industrial Lands Development Authority at Joondalup, the JDC computer system is being upgraded to service all three organisations and support the new East Perth Redevelopment Authority.
- (2) \$190 000, which represents a saving of \$29 500 based on 1991-92 computer related expenditure budgeted for by ILDA - \$88 000, JDC - \$81 500, and EPRA - \$50 000. Further savings will accrue through having an integrated system, as against four discrete agencies having their own separate systems.
- (3) 1 July 1992.

LANGUAGE DEVELOPMENT CENTRES - SHORTAGE OF PLACES

286. Mr COURT to the Minister representing the Minister for Education:

- (1) Is there a serious shortage of places in the language development centres in Western Australia?

- (2) If so, how many people have had the appropriate referrals but have been refused because of the lack of places?
- (3) What action is the Government taking to resolve this matter?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) There is not a serious shortage of places in language development centres for students with severe language disorders. These centres were established in the early 1980s to provide additional support for children with severe language disorders in the early primary school years. Adequate places are generally available for such students in the centres, although on occasions a short term problem may be experienced in a particular area. Where possible children with mild language disorders may also be admitted to the centres.
- (2) Approximately 129 students with milder language disorders were referred for 1992 but not offered placement.
- (3) All 129 students have been placed in regular schools or education support facilities as required where appropriate support is provided.

SWAN BREWERY SITE - CATTALINI, HELEN
Ethnographic Survey Draft Report

289. Mr COURT to the Minister for Heritage:

- (1) When did the Government receive the draft report from Helen Cattalini on an ethnographic survey on the Old Swan Brewery redevelopment as a bicentennial Aboriginal commemorative centre?
- (2) Was the Government provided with supporting evidence for the report's findings?
- (3) What were the names of the people who were interviewed as a part of this report?

Mr McGINTY replied:

- (1) The report referred to was received in December 1988.
- (2) The draft report did not include full supporting evidence.
- (3) A list of individuals and organisations consulted for this report is tabled.

[See tabled paper No 120.]

HOMESWEST - TENANTS
Evictions

291. Mr COURT to the Minister for Housing:

- (1) How many Homeswest tenants have been evicted in the years 1982 to 1991?
- (2) How many tenants have been evicted in 1991 for the months of June to December?
- (3) How many tenants have been evicted in 1992 for the months of January and February?

Mr McGINTY replied:

- (1) Evictions for the following years -

The statistics provided for tenant evictions are not immediately available. However, the following figures record the number of eviction proceedings approved by Homeswest's Board of Commissioners -

1982	125
1983	66
1984	15
1985	5

1986	11
1987	18
1988	12
1989	5
1990	12
1991	10

- (2) Tenants evicted in 1991 for the following months -

June	2
July	1
August	3
September	-
October	1
November	-
December	-

- (3) Tenants evicted in 1992 -

January	-
February	5

SCHOOLS - HIGH
Foreign Language Courses

295. Mr HOUSE to the Minister representing the Minister for Education:

- (1) What foreign languages are available for study by students at Western Australian high schools?
- (2) Of the above languages -
 - (a) which ones are made available outside the metropolitan area;
 - (b) in which schools are they taught?
- (3) How many students undertake the study of foreign languages in -
 - (a) the metropolitan area;
 - (b) non-metropolitan areas?
- (4) What is the total number of students studying each foreign language for each region in the State?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) Chinese, French, German, Indonesian, Italian, Japanese, Modern Greek.
- (2)
 - (a) French, German, Indonesian, Italian, Japanese.
 - (b) French - Albany Senior High School, Australind Senior High School, Bridgetown High School, Bunbury Senior High School, Busselton Senior High School, Central Midlands Senior High School, Corrigin District High School, Coodanup High School, Darkan District High School, Donnybrook District High School, Esperance Senior High School, Hedland Senior High School, Jerramungup District High School, John Willcock Senior High School, Kununurra District High School, Mandurah Senior High School, Manjimup Senior High School, Mt Magnet District High School, Narrogin Senior High School, Newton Moore Senior High School, Pemberton District High School, Pingelly District High School, Pinjarra Senior High School, Southern Cross District High School, Toodyay District High School; 13 other country schools offer French via distance education centre.
German - Gnowangerup District High School, Mukinbudin District High School.

Indonesian - Margaret River High School.

Italian - Albany Senior High School, Beverley District High School, Brookton District High School, Bunbury Senior High School, Eastern Goldfields Senior High School, Harvey Agricultural Senior High School, John Willcock Senior High School, Kellerberrin District High School, Kojonup District High School, North Albany Senior High School, Narrogin Senior High School, Northam Senior High School.

Japanese - Collie Senior High School, Karratha Senior High School, Northampton District High School.

- (3) (a) 10 072 - high school statistics only; primary numbers not available.
- (b) 1 892 - high school statistics only; primary numbers not available.
- (4) These statistics are not kept by the ministry.

NOTE: All statistics are based on 1991 figures for lower secondary school students.

**GOVERNMENT DEPARTMENTS AND AGENCIES - DEPUTY PREMIER;
MINISTER FOR STATE DEVELOPMENT; GOLDFIELDS**
Powers to Enter Private Homes with No Warrant or Court Order

300. Mr NICHOLLS to the Deputy Premier, Minister for State Development; Goldfields:

- (1) (a) Which departments or agencies administered under Statutes for which the Deputy Premier has ministerial responsibility, have the right to enter a person's home without a warrant or court order;
- (b) which Act(s) provide this right?
- (2) How many times have these powers been used in the previous 12 months?

Mr TAYLOR replied:

See the Premier's response to question 299.

**GOVERNMENT DEPARTMENTS AND AGENCIES - AGRICULTURE; WATER
RESOURCES; NORTH-WEST**
Powers to Enter Private Homes with No Warrant or Court Order

303. Mr NICHOLLS to the Minister for Agriculture; Water Resources; North-West :

- (1) (a) Which departments or agencies administered under Statutes for which the Minister has ministerial responsibility, have the right to enter a person's home without a warrant or court order;
- (b) which Act(s) provide this right?
- (2) How many times have these powers been used in the previous 12 months?

Mr BRIDGE replied:

See the Premier's response to question 299.

**GOVERNMENT DEPARTMENTS AND AGENCIES - MINISTER FOR HOUSING;
CONSTRUCTION; SERVICES; HERITAGE**
Powers to Enter Private Homes with No Warrant or Court Order

307. Mr NICHOLLS to the Minister for Housing; Construction; Services; Heritage :

- (1) (a) Which departments or agencies administered under Statutes for which the Minister has ministerial responsibility, have the right to enter a person's home without a warrant or court order;
- (b) which Act(s) provide this right?
- (2) How many times have these powers been used in the previous 12 months?

Mr McGINTY replied:

See the Premier's response to question 299.

**GOVERNMENT DEPARTMENTS AND AGENCIES - MINISTER FOR
COMMUNITY SERVICES; DISABILITY SERVICES**

Powers to Enter Private Homes with No Warrant or Court Order

308. Mr NICHOLLS to the Minister for Community Services; Disability Services :

- (1) (a) Which departments or agencies administered under Statutes for which the Minister has ministerial responsibility, have the right to enter a person's home without a warrant or court order;
- (b) which Act(s) provide this right?
- (2) How many times have these powers been used in the previous 12 months?

Mr RIPPER replied:

The member is referred to the Premier's response to question on notice 299.

**GOVERNMENT DEPARTMENTS AND AGENCIES - MINISTER FOR LANDS;
PLANNING; JUSTICE; LOCAL GOVERNMENT; SOUTH-WEST**

Powers to Enter Private Homes with No Warrant or Court Order

309. Mr NICHOLLS to the Minister for Lands; Planning; Justice; Local Government; South-West :

- (1) (a) Which departments or agencies administered under Statutes for which the Minister has ministerial responsibility, have the right to enter a person's home without a warrant or court order;
- (b) which Act(s) provide this right?
- (2) How many times have these powers been used in the previous 12 months?

Mr D.L. SMITH replied:

See the Premier's response to question 299.

GOVERNMENT DEPARTMENTS AND AGENCIES - MINISTER FOR HEALTH

Powers to Enter Private Homes with No Warrant or Court Order

311. Mr NICHOLLS to the Minister for Health :

- (1) (a) Which departments or agencies administered under Statutes for which the Minister has ministerial responsibility, have the right to enter a person's home without a warrant or court order;
- (b) which Act(s) provide this right?
- (2) How many times have these powers been used in the previous 12 months?

Mr WILSON replied:

The member is referred to the Premier's reply to Legislative Assembly question 299.

**GOVERNMENT DEPARTMENTS AND AGENCIES - MINISTER FOR
EDUCATION; EMPLOYMENT AND TRAINING; THE ARTS**

Powers to Enter Private Homes with No Warrant or Court Order

313. Mr NICHOLLS to the Minister representing the Minister for Education; Employment and Training; The Arts :

- (1) (a) Which departments or agencies administered under Statutes for which the Minister has ministerial responsibility, have the right to enter a person's home without a warrant or court order;
- (b) which Act(s) provide this right?
- (2) How many times have these powers been used in the previous 12 months?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

See the Premier's response to question 299.

**GOVERNMENT DEPARTMENTS AND AGENCIES - MINISTER FOR POLICE;
EMERGENCY SERVICES; SPORT AND RECREATION**

Powers to Enter Private Homes with No Warrant or Court Order

314. Mr NICHOLLS to the Minister representing the Minister for Police; Emergency Services; Sport and Recreation :

- (1) (a) Which departments or agencies administered under Statutes for which the Minister has ministerial responsibility, have the right to enter a person's home without a warrant or court order;
- (b) which Act(s) provide this right?
- (2) How many times have these powers been used in the previous 12 months?

Mr GORDON HILL replied:

See the Premier's response to question 299.

SCHOOLS - NORTH MANDURAH PRIMARY

Speech Therapist Funding Allocation

317. Mr NICHOLLS to the Minister for Disability Services:

- (1) Has the Government allocated any funds to provide for a speech therapist to be employed at the North Mandurah Primary School - special education unit, to provide a resource to both the North Mandurah Primary School and the Mandurah Senior High School?
- (2) (a) If yes, has the position been advertised;
- (b) if so, when and in what publications;
- (c) what amount has been allocated to secure this resource;
- (d) if no, why?
- (3) Have the Government or the ministry received any research which has not totally supported the value of speech therapy in assisting children with learning disabilities to gain a better quality of life?
- (4) Does the Government support the value of speech therapy as a high priority for children with learning disabilities?

Mr RIPPER replied:

- (1) No funds have been specifically allocated to provide speech pathology services to the North Mandurah Primary School and Mandurah Senior High School education support facilities.
- (2) (a)-(c) Not applicable.
- (d) Speech pathology services for Mandurah schools are available through the community health and development centre Mandurah with consultancy support from the Authority for Intellectually Handicapped Persons - AIH.
- (3) No.
- (4) Yes.

HEAD INJURED PEOPLE - CARE AND ACCOMMODATION FACILITIES

323. Mrs EDWARDES to the Minister for Health:

- (1) What facilities for care and accommodation are available in Western Australia for head injured people?
- (2) What is the number of beds and/or units available?

- (3) What is the classification of access?

Mr WILSON replied:

- (1) A total of nine residential facilities are provided for head injured people in Western Australia; eight of these are for adults, and one program for children. In addition to residential care the State Government provides funding through a total of eight programs to support the maintenance of people with head injury in the community.
- (2) 112. Further beds are available as required in the residential care facilities for the head injured population.
- (3) The criteria for access vary among the facilities. For example, nursing homes such as the Homes of Peace provide care for individuals who have no alternative accommodation and are in need of extensive nursing care and slow stream rehabilitation. Facilities such as Oats Street and the hostels within the community accommodation support program are available to people with head injury except for those who have severe disabilities which impede interaction with others or who display aggressive or inappropriate behaviour. Graylands Hospital provides assessment of and support for the behaviourally disabled head injured person.

HEALTH DEPARTMENT OF WESTERN AUSTRALIA - SOUTH WEST HEALTH SERVICES REVIEW

324. Mr BRADSHAW to the Minister for Health:

- (1) Will the Minister instigate a review of all health services in the south west to make sure a coordinated approach is put in place as against the current ad hoc arrangement?
- (2) If so, when?

Mr WILSON replied:

- (1)-(2) A strategic review of each major service in the south west health region - these being hospitals, community health, psychiatric services and aged care - is being progressed. A great deal of coordinated planning has taken place in the south west health region since its formal creation in January 1990 and this is expected to be further enhanced during 1992. Should the member for Wellington have any particular concerns, if he would care to write to me I would be happy to have them investigated.

YELLAGONGA REGIONAL PARK - FINAL REPORT RELEASE DATE

333. Mrs EDWARDES to the Minister for Planning:

When is a final report on the Yellagonga regional park expected to be released?

Mr D.L. SMITH replied:

The draft Yellagonga regional park planning review is expected to be released by 30 June 1992.

POLICE - COUNTRY TRAFFIC POLICE REORGANISATION

339. Mr McNEE to the Minister representing the Minister for Police:

- (1) Is there to be a reorganisation of the country traffic police personnel?
- (2) If yes, will the Minister advise how Moora will be affected by this reorganisation?

Mr GORDON HILL replied:

- (1) Yes.
- (2) No effect.

STATE DEVELOPMENT - SOCIAL IMPACTS UNIT
Employees; Departmental Responsibility; Terms of Reference

340. Mr COURT to the Minister for State Development:

- (1) Who is the present head of the Government's social impact unit?
- (2) To what department or instrumentality is the unit currently attached?
- (3) To whom is the head of the unit responsible where reporting and accountability are concerned?
- (4) How many persons are currently in the unit?
- (5) For what purpose does the unit exist?
- (6) What are the terms of reference of the unit?
- (7) Have persons been recruited from outside the Public Service to serve in the unit?
- (8) If so -
 - (a) how many;
 - (b) who are they?
- (9) What qualifications do they have that were not available within the Public Service?
- (10) Has a former office-bearer of the Conservation Council been appointed to the unit?

Mr TAYLOR replied:

- (1) Ann Verschuer is the director of the social impact unit. Michelle Andrews is acting in Ann Verschuer's position while she is on annual leave.
- (2) The Department of State Development.
- (3) The social impact unit reports to the chief executive officer of the Department of State Development.
- (4) Seven.
- (5) The social impact unit was established to ensure that development projects are good for the people as well as good for the developer.
- (6) The social impact unit provides two types of service -
 - (a) helping the public participate in planning and decision making associated with developments; and
 - (b) providing advice to Government on the social impact of developments.
- (7) Yes.
- (8) (a) Currently four.
 (b) Ann Verschuer, Gerard Fitzgerald, Colleen Henry and Michael Ashford. Also a BHP geologist will soon join the social impact unit on a six month secondment.
- (9) Officers appointed to the social impact unit are appointed on the basis of their skills, qualifications and experience. The officers appointed from outside the Public Service have, in several instances, brought interstate and international experience, while others have brought experience from specific "client groups" of the unit - for example, industry and community groups.
- (10) No. However, an officer formerly with the Australian Conservation Foundation joined the social impact unit last year and left in March this year.

SCHOOLS - ROCKINGHAM SENIOR HIGH
Centre for Maritime Studies Establishment Allocation - Facilities Funding

343. Mr COURT to the Minister representing the Minister for Education:

- (1) What financial resources have been allocated for the establishment of a centre

for maritime studies at the Rockingham Senior High School this financial year?

- (2) What is the current status of these studies?
- (3) Will the Government be funding a floating classroom, residential wing and boatshed for this centre in the next financial year?
- (4) If no, what facilities will be funded?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) The development of Rockingham Senior High School as a centre for maritime studies is school initiative which is consistent with the Ministry of Education curriculum policy. The resources applied to the program will therefore be determined by the school within its overall priorities.
- (2) The courses used by the school are all accredited by the Secondary Education Authority for use in secondary schools in this State.
- (3)-(4) No. The school will continue to use existing facilities.

MAMMOGRAPHY UNITS - ONSLOW
Government Funding

346. Mr MacKINNON to the Minister for Health:

- (1) Has the Government funded the mammography testing unit that recently visited Onslow?
- (2) How many women used the facility during its visit to Onslow?
- (3) Are there any restrictions on the use of this testing unit by women?
- (4) If so, why have those restrictions been put in place?

Mr WILSON replied:

- (1) Yes.
- (2) 33.
- (3) Yes. Asymptomatic women aged 45 years or over are eligible for screening.
- (4) Symptomatic women with breast symptoms or concerns require diagnostic mammography. A radiologist is required on site to direct the special views required or to ensure that possible further procedures can be conducted. These staff services and equipment are not available on a screening unit. Current medical opinion is that breast screening programs are most useful and cost effective for older women. Almost 70 per cent of breast cancers occur in women who are 50 or older. Studies have not demonstrated any decrease in the death rate for younger women involved in screening programs. Younger women have much denser breast tissue than older women and therefore it is more difficult for x-rays to detect small cancers. The Health Department's screening service has a legally required permit from the Radiological Council to screen only those women who are 45 years or older.

HEALTH DEPARTMENT OF WESTERN AUSTRALIA - REVIEWS

363. Dr CONSTABLE to the Minister for Health:

- (1) How many reviews of the Department of Health have been carried out since 1984?
- (2) Who was in charge of carrying out these reviews?
- (3) How much did each review cost?
- (4) How long did each review take?

Mr WILSON replied:

- (1) Three -
 - (a) Internal review by WA Government Functional Review Committee - Public Service Commission - completed 1987.
 - (b) Health System Task Force - completed 1988.
 - (c) Metropolitan Health Services Review - completed 1991.
- (2) (a) Mr Tim McDonald - Public Service Commission.
 (b) Mr Ivor Davies - Chief Executive Officer - Princess Margaret Hospital.
 (c) Deloitte Ross Tohmatsu - consultants.
- (3) The first two were conducted at no additional cost to Government. The Deloitte review cost \$1.1 million.
- (4) (a) Three years approximately;
 (b) one year;
 (c) one year.

EDUCATION, MINISTRY OF - CLAREMONT TEACHERS COLLEGE BUILDING
Refurbishment Costs

364. Dr CONSTABLE to the Minister representing the Minister for Education:

- (1) What is the estimated cost of the refurbishment of the old Claremont Teachers College building?
- (2) What are the sources of the funds for the refurbishment?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) \$2.8 million.
- (2) University investment income and other reserves.

TAFE - LEEDERVILLE TAFE CAMPUS
Asbestos Related Illness - Staff Compensation Payments

365. Dr CONSTABLE to the Minister representing the Minister for Education -

- (1) Have any former or current staff at Leederville College of Technical and Further Education applied for, or been granted, compensation payments for asbestos related illness?
- (2) If yes -
 - (a) in what years were the payments made;
 - (b) what were the amounts of each payment?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) No.
- (2) Not applicable.

SCHOOLS - PRESCHOOLS
Enrolments

367. Dr CONSTABLE to the Minister representing the Minister for Education:

- (1) What were the total enrolments in community preschools in -
 - (a) 1986-87;
 - (b) 1987-88;
 - (c) 1988-89;

- (d) 1989-90;
- (e) 1990-91?

(2) What is the current enrolment for 1992?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) The total enrolments in the community preschools in the first semester were -

(a)	1986	7 395
(b)	1987	6 595
(c)	1988	6 533
(d)	1989	6 373
(e)	1990	6 091
(f)	1991	5 865

- (2) The current preliminary enrolment for 1992 is 5 703.

**EMPLOYMENT, VOCATIONAL EDUCATION AND TRAINING,
DEPARTMENT OF - DIRECTORS OF SENIOR MANAGEMENT
*Doctorate Level Qualifications - Areas and Universities***

369. Dr CONSTABLE to the Minister representing the Minister for Education:

Further to question on notice 81 of 1992, in what areas are the doctorate level qualifications of the three directors of the senior management in the Department of Employment, Vocational Education and Training and from which universities?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

Each of the officers has a doctorate in education. The universities are -

Syracuse University, New York State
University of Manitoba, Canada
University of British Columbia, Canada

**STEEL STUDY TASK FORCE - BRITISH STEEL
STUDY**

Current Status; Estimated Cost; Report Date

371. Dr CONSTABLE to the Minister for State Development:

- (1) What is the current status of the Western Australian Steel Study Task Force and the study by British Steel associated with the task force?
- (2) What is the estimated total cost of -
 - (a) the Western Australian Steel Study Task Force; and
 - (b) the British Steel study?
- (3) When is a report expected from the task force?

Mr TAYLOR replied:

- (1) The Steel Study Task Force continues to function under the chairmanship of Hon Gavan Troy, as directed by the Minister for State Development. British Steel delivered its draft report in December 1991 and its final report in March 1992.
- (2) The estimated total costs of the task force program is \$340 000 which includes approximately \$89 200 for the British Steel Consultants Ltd report, and \$185 000 for the report by Canberra based consultants, the Asia Pacific Economics Group.
- (3) The Minister expects to receive the report by the end of the month.

CHANNAR STUDY - CURRENT STATUS

Estimated Cost; Report Date

372. Dr CONSTABLE to the Minister for State Development:

- (1) What is the current status of the Channar study?
- (2) What is the estimated cost of this study?
- (3) When is a report of this study expected?

Mr TAYLOR replied:

(1)-(2)

I presume the member is referring to a DRI prefeasibility study which was to be carried out under the WA China economic and technical research fund which was announced some time ago by me. The final details including budget are still the subject of negotiations between the Governments of Western Australia and the People's Republic of China.

- (3) The report is expected early in 1993.

SHEEP LICE - INFECTED FLOCKS

Eradication Fund Revenue and Expenditure; Full Time Equivalents; Treatment Agent

373. Dr CONSTABLE to the Minister for Agriculture:

- (1) What proportion of the State's sheep flocks were infested with lice in -
 - (a) 1988;
 - (b) 1989;
 - (c) 1990;
 - (d) 1991?
- (2) What was the total raised by sheep lice eradication fund contributions in each year between -
 - (a) 1988-89;
 - (b) 1989-90;
 - (c) 1990-91?
- (3) How much was spent by the Department of Agriculture in each year between -
 - (a) 1988-89;
 - (b) 1989-90;
 - (c) 1990-91?
- (4) How many full time equivalent positions were filled to administer this program in each year between -
 - (a) 1988-89;
 - (b) 1989-90;
 - (c) 1990-91?
- (5) What agent is recommended by the Department of Agriculture for lice treatment?

Mr BRIDGE replied:

- (1) The percentage of flocks with positive results to the lice detection test were -

(a)	1987-88	29 per cent
(b)	1988-89	26 per cent
(c)	1989-90	25 per cent
(d)	1990-91	24 per cent
- (2)

(a)	1988-89	\$464 925
(b)	1989-90	\$601 688
(c)	1990-91	\$592 682

- (3) (a) 1988-89 \$902 637
(b) 1989-90 \$770 071
(c) 1990-91 \$654 264
- (4) (a) 1988-89 24
(b) 1989-90 21
(c) 1990-91 13
- (5) There are several insecticides which are registered to eradicate lice and suitable for treating lice provided they are used correctly. The Department of Agriculture's recommendations vary depending on the flock history and the time after shearing.

STATE EMERGENCY SERVICE - VOLUNTEERS

Public Liability and Professional Indemnity Cover; Death Benefits

375. Dr CONSTABLE to the Minister representing the Minister for Emergency Services:

- (1) Further to question on notice 131 of 1992 and the answer supplied -
 - (a) are volunteers in the State Emergency Service covered for public liability and professional indemnity by the SES;
 - (b) if not, who does cover the volunteers for public liability and professional indemnity?
- (2) What are the death benefits for SES volunteers?
- (3) Why are volunteers responsible for the initial payment of their medical expenses incurred in the course of voluntary duty?
- (4) Does the Minister propose to introduce legislation to address matters affecting the parties to the volunteers' policy?
- (5) Does the Minister propose to introduce legislation to establish a governing authority for execution of the provisions of the volunteers' policy?

Mr GORDON HILL replied:

- (1) (a) Yes.
(b) Not applicable.
- (2) The amount of death benefits available for WA State Emergency Service volunteers is the same as that for a worker under the Workers Compensation and Assistance Act, being 85 per cent of the prescribed amount.
- (3) Volunteers are responsible only for presenting accounts to Medicare or WASES insurance for payment.
- (4)-(5) The question is unclear. However, legislation is currently under consideration to provide a statutory case for the SES.

TAFE - REVENUE

Instruction for Specific Clients

378. Dr CONSTABLE to the Minister representing the Minister for Education:

- (1) In 1990-91 how much revenue was raised by technical and further education for providing instruction to specific clients or client groups - that is, instruction not available to the general public?
- (2) How much revenue is expected to be raised in this manner in 1991-92?
- (3) Are TAFE colleges authorised to deliver instruction for specific clients or client groups?
- (4) Does the Education Act provide authorisation for TAFE colleges to deliver such instruction?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) \$4 958 502.
- (2) \$5 958 057.
- (3)-(4)

Yes.

MULTANOVAS - INTRODUCTION DATE
Speeding Infractions - Statistics; Revenue; Licences Lost

380. Dr CONSTABLE to the Minister representing the Minister for Police:

- (1) When was the Multanova first used to detect speeding drivers?
- (2) How many speeding fines have been issued as a result of the Multanova?
- (3) What is the total number of speeding fines issued since the introduction of the Multanova?
- (4) How much revenue has been raised through speeding fines issued as a result of the Multanova?
- (5) How much revenue has been raised through all speeding fines since the introduction of the Multanova?
- (6) How many drivers have lost their licence through the accumulation of demerit points from speeding fines as a result of the Multanova?

Mr GORDON HILL replied:

- (1) During the Easter period of 1990.
- (2) Between 14 January 1991 and 31 March 1992, 83 973 infringements have been issued.
- (3) Between 13 April 1990 (Easter period 1990) and 31 March 1992, 380 714 speeding infringements have been issued
- (4)-(5) Unknown. All fines paid to Crown Law Department.
- (6) Unavailable.

SELECT COMMITTEE ON LAND CONSERVATION - FINAL REPORT
RECOMMENDATIONS
Government Action

386. Mr MacKINNON to the Premier:

What action does the Government intend to take in relation to the recommendations contained in the final report of the Select Committee on Land Conservation?

Dr LAWRENCE replied:

The Ministers for Agriculture, Environment, and Lands and Planning have now received responses to the report from agencies and other relevant bodies. A joint response to Parliament is under consideration.

HEALTH DEPARTMENT OF WESTERN AUSTRALIA - METROPOLITAN
SANITATION LANDFILL SITES REVIEW

387. Mr MacKINNON to the Minister for Health:

- (1) Is the Government currently undertaking a review of the metropolitan sanitation landfill sites?
- (2) If so, who is conducting that review?
- (3) What is the purpose of the review?
- (4) When is it expected that the review will be completed?

Mr WILSON replied:

- (1) Yes.

- (2) Staff from the Health Department of Western Australia.
- (3) The review is intended to ensure that all landfills operating in the metropolitan area meet modern environmental standards.
- (4) The current review will be complete within a few months.

STATE TAXATION DEPARTMENT - OVERDUE ACCOUNTS
16 per cent Interest Charge - Land Tax Increases

391. Mr MacKINNON to the Premier:

- (1) Is the State Taxation Office currently charging 16 per cent interest on overdue accounts?
- (2) Why is this rate of interest being charged in light of recent interest rate reductions?
- (3) Will this rate still be charged next year on overdue accounts?
- (4) If not, what rate will be charged?
- (5) Will any taxpayers face increases in land tax above the rate of inflation in their 1992-93 assessments?

Dr LAWRENCE replied:

- (1) I am advised by the Commissioner of State Taxation that an interest rate of 16 per cent currently applies in respect of instalment arrangements covering overdue land tax and payroll tax assessments.
- (2) I am advised that the rate was reduced from 18 per cent to 16 per cent on 1 February 1992 and that the 16 per cent rate was only one per cent greater than the upper limit of the bank overdraft rate for amounts of less than \$100 000 as reported in the Reserve Bank Bulletin.
- (3)-(4) In accordance with departmental policy, the rate will again be reviewed in July 1992.
- (5) Under current legislation, increases in land tax assessments will reflect the phasing-in of increases in land valuations determined by the Valuer General. These will vary between individual taxpayers.

MIDLAND SALEYARDS - PRESTIGE BRICK
Land Swap Proposal

392. Mr MacKINNON to the Minister for Agriculture:

- (1) Has the Government now put a proposition to the proprietor of Prestige Bricks that would implement a land swap strategy to ensure retention of the Midland saleyards in its present location?
- (2) If so, what are the details of that land swap proposal?
- (3) If not, what is the Government's present position with respect to the Midland saleyards?

Mr BRIDGE replied:

- (1) The Government's saleyards technical committee is currently investigating three options. These include the possibility of an exchange using adjacent Crown land to retain the existing Midland saleyards, a new saleyards for all species on Great Northern Highway between Upper Swan and Bullsbrook, and a third option involving a combination of regional yards. The chairman of the technical committee is discussing the exchange option with Prestige Brick.
- (2)-(3) This option involves exchanging an equivalent area of adjacent Westrail land that will be isolated by the extension of Lloyd Street for the Prestige Brick land containing the existing livestock saleyards.

AGRICULTURE PROTECTION BOARD - LEGISLATION

Introduction Plans

393. Mr MacKINNON to the Minister for Agriculture:

- (1) Is the Government planning to introduce legislation concerning the Agriculture Protection Board into the Parliament during the current session?
- (2) If so, what is the nature of the legislation?

Mr BRIDGE replied:

- (1) No.
- (2) Not applicable.

RURAL ASSISTANCE FINANCIAL CORPORATIONS - FEDERAL REVIEW

Government Submission

394. Mr MacKINNON to the Minister for Agriculture:

- (1) Has the State Government made a submission to the Federal Review of Rural Assistance Finance Corporations?
- (2) If so, who was responsible for the preparation of that submission?
- (3) Has the submission been made public?
- (4) If not, why not?

Mr BRIDGE replied:

- (1) The Commonwealth is reviewing the Rural Adjustment Scheme, which is administered in Western Australia by the Rural Adjustment and Finance Corporation. The terms of reference cover, among other things, the efficiency and effectiveness of the current RAS and whether the objectives and structure of the scheme remain appropriate. The Commonwealth aims to complete the review by June 1992. Correspondence received from the Commonwealth on 24 March 1992 invited the State to input into this review process and requested submissions by 24 April 1992. This opportunity will be taken up and a submission is currently being prepared within my portfolio.

(2)-(4)

Not applicable.

RURAL ADJUSTMENT AND FINANCE CORPORATION - ASSISTANCE FUNDS

Part B Assistance Program Approvals - Total Funding

395. Mr MacKINNON to the Minister for Agriculture:

- (1) How many farmers have successfully applied for assistance under the Part B assistance program now being administered by the Rural Adjustment and Finance Corporation?
- (2) How much funding has been provided by the State Government to assist those farmers?

Mr BRIDGE replied:

- (1) 33.
- (2) Total funding associated with the 33 approvals amounts to \$139 064 on a full year basis. The State contribution, on a 2:1 funding base, is \$46 355.

RURAL ADJUSTMENT AND FINANCE CORPORATION - ASSISTANCE FUNDS

Refused Applications Reasons

396. Mr MacKINNON to the Minister for Agriculture:

- (1) Are applicants for Rural Adjustment and Finance Corporation assistance given reasons why their applications for support have been refused?
- (2) If not, why not?

Mr BRIDGE replied:

- (1) Yes.
- (2) Not applicable.

RURAL ADJUSTMENT AND FINANCE CORPORATION - ASSISTANCE FUNDS
Loan Funds - Administration Expenditure

397. Mr MacKINNON to the Minister for Agriculture:

In each of the last five financial years how much has been -

- (a) lent to farmers for financial assistance under Rural Adjustment and Finance Corporation;
- (b) spent on administration of those particular funds?

Mr BRIDGE replied:

- (a)

1986-87	\$18 696 638
1987-88	\$5 955 639
1988-89	\$3 622 282
1989-90	\$2 124 154
1990-91	\$3 986 806
1991-92 (to 31.3.92)	\$2 644 534
- (b) No figures available. The corporation does not allocate its administration costs between funds lent and other forms of assistance such as interest subsidies and grants.

SMALL BUSINESS GUARANTEE SCHEME - APPLICATIONS, 1989-92
Losses

398. Mr MacKINNON to the Deputy Premier:

- (1) In each of the last three financial years how many applications has the Government received into the Small Business Guarantee Scheme?
- (2) How many applications for guarantee support have been approved?
- (3) What is the extent of the guarantees under this scheme?
- (4) How much has the Government lost under this scheme in each of those three years?

Mr TAYLOR replied:

- (1) The Government has received a total of 141 applications over the past three financial years -

1989-90	1989-90	1990-91
70	46	25
- (2) Guarantee applications approved during three years to June 1991 were 49 for \$2.855 million.
- (3) The extent of any one guarantee is limited to \$150 000 over a maximum of 10 years. Currently there are 40 guarantees outstanding for \$2.224 million.
- (4) Losses under the scheme over the three financial years to June 1991 were -

1988-89	1989-90	1990-91
\$187 000	\$70 000	\$352 000

STATE DEVELOPMENT, DEPARTMENT OF - BUSINESSES PLANNING
SERVICE GRANTS 1989-92
Projects Implementation - Expenditure

399. Mr MacKINNON to the Minister assisting the Minister for State Development:

- (1) How many businesses have been supported with grants by the Department of State Development to assist with development of business plans in each of the last three financial years?

- (2) How many of those projects assisted have in fact then proceeded with the implementation of the development plan so concluded?
- (3) How much has been provided in support to businesses under this program in each of the last three years?

Mr GORDON HILL replied:

The Minister for State Development has provided the following reply -

- (1) The number of enterprises supported with grants administered by the Department of State Development under the NIES program for business planning is as follows -

1988-89	34
1989-90	26
1990-91	11

- (2) Independent market research dating from early in the period in question indicates that more than two-thirds of assisted enterprises acted on the business planning advice. New research to update information on service effectiveness will be carried out during 1992-93.
- (3) The expenditure under the NIES business planning service for the last three financial years is as follows -

1988-89	\$108 332
1989-90	\$299 167
1990-91	\$122 458

BUILDERS REGISTRATION BOARD - JURISDICTION EXTENSION PLANS

400. Mr MacKINNON to the Minister for Consumer Affairs:

- (1) Does the Government have any plans to extend the geographical area covered by the Builders Registration Board?
- (2) If so, when will that increased coverage be implemented?

Mrs HENDERSON replied:

- (1) A proposal to extend the jurisdiction of the Builders Registration Board to the Town of Albany, the Shire of Albany and the Shire of Plantagenet is currently being drafted. It is further proposed to extend the jurisdiction of the Builders Registration Board to cover the entire State within one year.
- (2) A timetable will be set once the matter has been considered by Cabinet.

WASTE DISPOSAL - NEW LIQUID WASTE RECEIVAL CENTRE, WESTFIELD

403. Mr MINSON to the Minister for Health:

- (1) Was the new liquid waste receival centre at Westfield opened on 2 March 1992?
- (2) Did the centre cost \$1.4 million?
- (3) Was the centre was closed due to breakdown on Wednesday 1 April and Thursday 2 April 1992?
- (4) If yes -
 - (a) when is the plant expected to be open again;
 - (b) will there be a reduction in rates due to this breakdown?

Mr WILSON replied:

- (1) Yes.
- (2) The cost of the facility has not been finalised but will be in excess of \$1 million.
- (3) Yes. The new transfer facility was closed due to equipment failure but trucks were able to discharge through an alternative discharge facility.

- (4) (a) The receival facility opened again on 3 April 1992.
(b) No.

STATE EMERGENCY SERVICE - FULL-TIME EMPLOYMENT STATISTICS
Volunteers' Health and Safety Insurance

407. Mr LEWIS to the Minister representing the Minister for Police:

- (1) How many persons are directly full-time employed with the State Emergency Services organisation?
(2) Are volunteers to this service indemnified with personal health and safety insurance when on duty?

Mr GORDON HILL replied:

- (1) The WA State Emergency Service currently has 35 full time employees.
(2) The WA State Emergency Service volunteers are covered by a personal accident insurance policy with the State Government Insurance Commission and are protected by public liability and professional indemnity.

LAND TAX - LAND VALUATION TRIBUNAL

Effective Date for a General Valuation in a Valuation District - Determination on Appeal

408. Mr LEWIS to the Treasurer:

Has the Land Appeals Tribunal determined on appeal that the effective date for a general valuation of a valuation district for land tax purposes is the date recorded and certified by the Valuer General on the valuation roll?

Dr LAWRENCE replied:

I am advised that in a particular appeal the Land Valuation Tribunal determined that for land tax purposes, the effective date of the value of land in the relevant valuation district, was the date which was originally endorsed on the valuation roll by the Valuer General rather than the date to which that original entry was corrected. The Commissioner of State Taxation subsequently obtained Queen's Counsel advice that an appeal against the tribunal's determination might have been appropriate but that in any event, it did not invalidate assessments which had been issued for land in the same valuation district - other than that which was the subject of the determination - and which were based on valuations effective from the corrected date.

HOMESWEST - LOT 574 BEASLEY ROAD, LEEMING
Rental Housing Development Plans

409. Mr MacKINNON to the Minister for Housing:

- (1) Is it Homeswest's intention to continue with the development of group housing for rental purposes on the land it owns at Lot 574 Beasley Road in Leeming?
(2) If so, when does Homeswest expect to commence this development?

Mr McGINTY replied:

- (1) Yes, on a portion of the site.
(2) Construction of the eight unit group housing development is planned for the 1992-93 construction program.

HOMESWEST - SANTA MARIA RESIDENTIAL LAND DEVELOPMENT
Government Consideration

410. Mr MacKINNON to the Minister for Housing:

- (1) Is the Government considering the development of residential land known as Santa Maria?
(2) If so, what development is being considered for that area, and when is it likely to proceed?

Mr McGINTY replied:

- (1) Homeswest is not considering any development in this area.
- (2) Not applicable.

GNANGARA MOUND - RESIDENTIAL DEVELOPMENT
Government Policy

411. Mr MacKINNON to the Minister for Water Resources:

What is the Government's policy with respect to residential development above the Gngangara mound?

Mr BRIDGE replied:

The Department of Planning and Urban Development has identified areas considered suitable for urban development to meet the long term residential land requirements of the metropolitan area for the next 30 years in its urban expansion policy statement for the Perth metropolitan region. This includes some urban development along the flanks of the mound, but does not propose development over the central part of the mound which is the most important recharge area for public water supplies.

The Government has recently gazetted a statement of planning policy - prepared under section 5AA of the Town Planning and Development Act 1928 (as amended) - titled Gngangara Mound Crown Land, which covers some 900 square kms over the main recharge area of the mound. The objectives of this policy are -

- to protect the quality and quantity of ground water resources for public water supply;
- to promote the sustainable use of ground water;
- to protect wetlands and natural vegetation; and
- to encourage recharge of the ground water resource.

Residential development is not an approved land use in the area and could only be considered in terms of the degree of net public benefit of such development, and after thorough assessment under part IV of the Environmental Protection Act.

METROPOLITAN REGION SCHEME - AMENDMENT 840-33 PROPOSAL
Subdivisional Development East of Wanneroo Road, North of Gngangara Area - Ministerial Approval

412. Mr MacKINNON to the Minister for Planning:

- (1) Has the Minister approved of any subdivisional development east of Wanneroo Road and north of the Gngangara area which will be affected by the proposed Metropolitan Region Scheme Amendment 840/33?
- (2) If so, what developments have been approved, and when were they approved?

Mr D.L. SMITH replied:

- (1) No. Proposed Metropolitan Region Scheme Amendment No 840/33 is for the urban rezoning of land at Neerabup for future residential subdivision. Subdivision will not be approved until the rezoning is finalised.
- (2) See above.

METROPOLITAN REGION SCHEME - AMENDMENT PROPOSAL LEGISLATION
Neerabup Area

413. Mr MacKINNON to the Minister for Planning:

- (1) Will the Government be bringing to the Parliament legislation to approve of the proposed amendment to the Metropolitan Region Scheme as it affects the Neerabup area?
- (2) If so, when is it expected that legislation will be presented to the Parliament?

Mr D.L. SMITH replied:

- (1) Section 33 of the Metropolitan Region Town Planning Scheme Act requires in respect of a substantial amendment to the metropolitan region scheme, that after it has been recommended for final approval by the State Planning Commission and I have sought and obtained the approval of the Governor, the amendment be laid on the Table of each House of Parliament and be subject to disallowance. If those prerequisites are satisfied in the case of amendment No 840/33 relating to proposed urban zoning at Neerabup, then the amendment will be tabled in accordance with the Act.
- (2) The State Planning Commission, having recently completed hearings of those objecting to this amendment, is now obliged to consider all written submissions and those matters presented at the hearings. I understand that the commission will be considering the matter at its May meeting and, if it resolves to proceed, the amendment will come before the Governor and Parliament thereafter.

PACRIM CONFERENCE - TIME AND PLACE
Government Financial Commitment

415. Mr MacKINNON to the Premier:

- (1) When and where is the next PacRim Conference to be held?
- (2) What financial commitment to the conference has the Government made in this or future years?

Dr LAWRENCE replied:

- (1) No decision has been made regarding any future PacRim conferences. The member should be aware, as detailed in the WA Advantage document, the State Government will hold a major conference in Perth in November to promote trade and investment within the Asia-Pacific region. This conference will provide an international forum for the development of trade, investment and cultural links through our sister State relationships with Japan, China and Indonesia.
- (2) Nil; however, any financial commitment to the planned November conference will be subject to the normal budgetary considerations.

SEWAGE - ALBANY TREATMENT PLANT
King Point Replacement Details

417. Mr MacKINNON to the Minister for Water Resources:

- (1) Has the Government yet decided what form of sewage treatment plant will be installed in Albany to replace the existing King Point facility?
- (2) When does the Government plan to begin work on the new plant?
- (3) What is the estimated cost of that work?
- (4) How will the work be funded?
- (5) What are the changes expected to be made in rating arrangements for people in Albany as a consequence of these improvements?

Mr BRIDGE replied:

- (1) Yes. The existing Timewell Road ponds treatment plant will be expanded to accommodate the wastes currently being treated at King Point. Effluent from this plant will be disposed of on an agroforestry area to be developed opposite Albany airport.
- (2) Environmental approval for the project is currently being sought. Work on the disposal site is to commence next summer.
- (3) The project has a projected cost of \$38 million over its life in present value terms using a four per cent discount rate. Of this \$20 million represents the likely capital investment required prior to the closure of King Point.

- (4) It is anticipated that this project will be funded from revenue.
- (5) This matter is subject to current discussions and yet to be determined.

SCHOOLS - MOORA PRIMARY
Repair and Renovation Program Timetable

420. Mr McNEE to the Minister representing the Minister for Education:

When will the routine repair and renovation program for the Moora Primary School be carried out?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

The following essential maintenance and minor works are scheduled during 1991-92:

Drainage of oval	1 800	Completed
Power in shed	1 000	Completed
Air-conditioning of old library	2 750	Completed
Repair fence	650	Completed
Repairs to playground equipment	500	To commence in May
Gutter cleaning	250	To commence in May
Maintenance to evaporative coolers	600	To commence in May
Maintenance to gas equipment	350	To commence in May

Further items will be considered for inclusion in the 1992-93 program as part of the Government's \$75 million school maintenance program.

SCHOOLS - GINGIN DISTRICT HIGH
Maintenance Program Consideration; Asbestos Roof Replacement; Classrooms Extension

421. Mr McNEE to the Minister representing the Minister for Education:

- (1) When will a maintenance program be considered for the Gingin District High School?
- (2) Will replacement of the asbestos roof at the school be considered at the same time as the maintenance program?
- (3) In view of the constantly increasing pupil numbers at the Gingin District High School, when will an extension to the number of classrooms at the school be considered?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) The following essential maintenance is scheduled to commence in May as part of the 1991-92 program -

Fencing	200
Gutter cleaning	500
Servicing of evaporators	400
Gas equipment maintenance	300
Bore maintenance	250

Further items will be considered for inclusion in the 1992-93 program as part of the Government's \$75 million school maintenance program.

- (2) Yes. All roofs that are identified as being structurally unsound are considered as part of the roof repair and replacement program.
- (3) The Ministry of Education will continue to monitor the enrolment at the school and additional classrooms will be provided as required.

SCHOOLS - MOORA PRIMARY
Sewerage System Connection Request

422. Mr McNEE to the Minister representing the Minister for Education:

- (1) Has the Minister been requested to have the Moora Primary School connected to the sewerage system in Moora?

- (2) . If so -
 - (a) have arrangements been put in hand for this to be done;
 - (b) when will the school be connected to the sewer?
- (3) If no arrangements are in hand, has the project been included for consideration for funding in the 1992-93 State Budget?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) Yes.
- (2)
 - (a) No.
 - (b) As the existing septic systems are functioning satisfactorily, connection to the sewer is not considered necessary at the present time.
- (3) No. However, the condition of the septic systems will continue to be monitored.

EDUCATION, MINISTRY OF - "LIVE SCIENCE" PROGRAMS
GWN Broadcast

424. **Mr TUBBY** to the Minister representing the Minister for Education:

- (1)
 - (a) How many "Live Science" programs have there been produced so far this academic year;
 - (b) on what dates did these programs go to air on GWN;
 - (c) are these programs to cease on Thursday, 9 April 1992?
- (2)
 - (a) Is the "Live Science" program to continue once West Ed Media ceases production;
 - (b) if so, where will future programs be produced;
 - (c) who will be responsible for production?
 - (d) how regularly will programs be broadcast on GWN?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1)
 - (a) Two
 - (b) 12 March and 26 March
 - (c) No.
- (2)
 - (a) Yes.
 - (b) An alternative studio is being negotiated.
 - (c) Media Production Unit, Curriculum Directorate/Distance Education Centre.
 - (d) Fortnightly for term 2. Planning is under way for terms 3 and 4.

OPTICAL DISPENSERS BILL - INTRODUCTION PROPOSAL

427. **Mr CLARKO** to the Minister for Health:

- (1) When does the Minister propose to introduce in Parliament an Optical Dispensers Bill?
- (2) Has such a Bill been complete since approximately 1987?

Mr WILSON replied:

- (1) No decision has been made about amending the Act. However, a number of the review's recommendations will be addressed by amending the regulations.
- (2) No.

**CRIME (SERIOUS AND REPEAT OFFENDERS) SENTENCING BILL - ELIGIBLE
JUVENILES**

*Wards of Department for Community Services - Child Welfare Act Section 31A
Implications*

429. Mr DONOVAN to the Minister for Community Services:

- (1) Further to my question without notice of 17 March 1992, how many of the 40 children estimated by the Premier to be liable to a court disposal under the terms of the Crime (Serious and Repeat Offenders) Sentencing Act 1992, are wards of the Department or otherwise under its control and responsibility?
- (2) What, if any, are the implications of section 31A of the Child Welfare Act as it may affect the Department in relation to any act or omission contributing to the offences of a minor, in respect to children under the department's care or control by one or another means?

Mr RIPPER replied:

- (1) Of those eligible to be dealt with under the new legislation, none are wards of the State and none are placed under control - PUC. However, 13 are in detention and six are placed on community-based orders.
- (2) None.

**ASHBURTON ELECTORATE - GENERAL PRACTITIONERS; SPECIALISTS;
DENTISTS**

Current Resident Statistics

430. Mr COURT to the Minister for Health:

How many -

- (a) general practitioners;
 - (b) specialists;
 - (c) dentists;
- are currently working in the Ashburton electorate?

Mr WILSON replied:

- (a) 12.
- (b) Currently there are no resident specialists in the Ashburton electorate; however there are 15 specialists who visit on a regular basis.
- (c) Six.

**PLANNING AND URBAN DEVELOPMENT, DEPARTMENT OF - STATUTORY
PROCEDURES COMMITTEE**

Establishment Date; Membership; Charter; Meetings

431. Mr STRICKLAND to the Minister for Planning:

- (1) With respect to the Statutory Procedures Committee associated with the Department of Planning and Urban Development, when was the committee established?
- (2) (a) Who are the members of the committee;
(b) what, if any, is the basis of their representation?
- (3) What is the charter of the committee and under what authority does it operate?
- (4) (a) Have designated terms been laid down for membership;
(b) if so, what are they and when and who is associated with any retirement date?
- (5) On how many occasions has the committee met in each year since its inception?
- (6) At such meetings are minutes kept and what is the average attendance?

- (7) What are the respective cumulative attendances of each member?
- (8) (a) With respect to the closure of accessways, procedures and requirements, is it an essential requirement to have an approval from DPUD prior to closure approval and implementation;
- (b) if so, is it a requirement for this Statutory Procedures Committee to have to make a recommendation?
- (9) If yes to (8) what requirements, if any, are in place for the committee to meet and deal with matters expeditiously?

Mr D.L. SMITH replied:

- (1) The Committee for Statutory Procedures is a committee of the State Planning Commission appointed by the commission pursuant to section 19 of the State Planning Commission Act 1985 - as amended. The committee was established by resolution of the commission dated 5 March 1987.
- (2) (a) The membership of the committee as at 24 March was -
- | | |
|-------------------|---|
| Mr Peter Willmott | Chairman and Chairman of the State Planning Commission. |
| Mr Stan Parks | Deputy Chairman of the State Planning Commission. |
| Mr John D'Orazio | Member of the State Planning Commission. |
| Mrs Betty Connell | Member of the State Planning Commission. |
| Mr John Morgan | Former Surveyor General - resigned 24 March 1992. |
| Mr David Hatt | Chief Executive of the Department of Planning and Urban Development. |
| Mr Gordon Smith | Secretary and legislative officer of the department is the appointed deputy to Mr Hatt. |
- (b) The basis for representation as members of the State Planning Commission is set out in section 5 of the SPC Act 1985. The legal responsibility to determine the issues now dealt with by the committee rests with the commission but it has exercised the powers available to it both to form a committee - section 19 - and delegate powers to it - section 20. The chief executive of the department was appointed to represent the interests of that department.
- (3) The charter is in the most recent delegation instrument set out in the *Government Gazette* dated 26 April 1991. The authority is in the legislation.
- (4) (a) No, but terms of office of commissioners are for periods of up to five years.
- (b) Not applicable.
- (5) The committee has met and continues to meet on a weekly basis with breaks of two weeks at Christmas/New Year and one week at Easter.
- (6) Minutes are kept and average attendance for period 1 January 1991 to 24 March 1992 was five members over 60 meetings.
- (7) Cumulative attendance of members - 1 January 1991-24 March 1992 - 60 meetings - are -
- | | |
|--|---------------|
| Peter Willmott (Chairman) | - 43 meetings |
| Stan Parks | - 57 meetings |
| John D'Orazio | - 41 meetings |
| Gordon Smith | - 55 meetings |
| Betty Connell - appointed 6 April 1991 | - 42 meetings |
| John Morgan | - 38 meetings |
- (8) (a) No, but to provide a suitable administrative mechanism for closure of pedestrian accessways, the Department of Land Administration has

generally adopted the procedures set out in section 297A of the Local Government Act relating to the closure of private streets. Those procedures involve consultation with the commission and consideration by the authority concerned of any objections raised.

- (b) The committee for statutory procedures deals with these issues on behalf of the commission under delegated power.
- (9) No specific time limits exist on such procedures but they are researched by planning officers of the department and placed on the agenda of the next regular meeting of the committee. Every endeavour is made to deal with such matters as soon as professional assessments have been made and relevant information is gathered.

PLANNING AND URBAN DEVELOPMENT, DEPARTMENT OF - STATUTORY PROCEDURES COMMITTEE

Stirling City of - Map of Public Accessways and Pedestrian Movements Request

432. Mr STRICKLAND to the Minister for Planning:

- (1) Is the Minister aware that the Statutory Procedures Committee has requested the City of Stirling to provide a map of the city designating all public accessways - those subject to closure and the others - and requiring an indication of pedestrian movements for each?
- (2) With respect to (1) can the Minister explain -
 - (a) the reason for such a request;
 - (b) the method by which pedestrian movement is expected to be gauged;
 - (c) whether he supports the imposition of such an administrative burden?
- (3) With respect to the meetings of the Statutory Procedures Committee -
 - (a) do regular meeting times exist;
 - (b) if so, on what basis;
 - (c) with respect to special meetings to deal with specific matters, how many such meetings occurred in -
 - (i) 1991;
 - (ii) to date;
 - (d) to whom are the findings and recommendations reported;
 - (e) what outstanding items remain before the committee as at 8 April 1992, and what are the respective dates that these matters were placed on the committee's agenda?

Mr D.L. SMITH replied:

- (1) Yes.
- (2) (a) Closures of pedestrian accessways constitute a departure from an overall planning design for the arrangement of roads, housing lots, schools, community uses, bus routes, shops and pedestrian movement routes, etc. Closure of a single portion of a pedestrian movement route could well diminish or even destroy its effectiveness for the purpose for which it was created in its entirety.
- (b) By application of the same considerations as applied to the approval of the subdivision in the first place together with any changes in the arrangements of the focal features of the neighbourhood which might influence pedestrian and cycle movements.
- (c) Yes. Council is proposing to close a considerable number of pedestrian accessways - some of which have already been approved - and it is quite proper that council should present for consideration all reasonable information in support of its proposal. I am advised that council has not provided the requested information but merely a plan

showing only the proposed closures and that officers of the Department of Planning and Urban Development are undertaking the balance of work for the benefit of the committee.

- (3) (a)-(b) The committee has met and continues to meet weekly with breaks of two weeks at Christmas/New Year and one week at Easter.
- (c) Special meetings are convened as required but as the committee meets on a weekly basis the need for special meetings seldom arises. The number of special meetings held -
- (i) in 1991 - none;
 - (ii) in 1992 to date - one, and one further meeting is planned.
- (d) In matters relating to closure of pedestrian accessways, decisions of the committee are reported to the authority seeking closure usually by either the Department of Land Administration or the council.
- (e) Agenda items for the committee are placed on the agenda by officers of the department as soon as professional and technical appraisals have been completed. Matters not determined by the committee are normally referred back for further technical appraisal and then relisted when that appraisal is complete. The issue of the closure of many pedestrian accessways in the City of Stirling has been determined in the negative several times and the recent request for the committee to inspect the sites in company with council representatives has been agreed and arrangements made.

SCHOOLS - FIVE YEAR OLDS *Compulsory Education Benefits*

434. Mr KIERATH to the Minister representing the Minister for Education:

- (1) (a) With respect to compulsory education for five year olds, how would such education benefit five year old children;
- (b) on what studies is this information based?
- (2) Considering the current overcrowding in schools, what resources will be provided to accommodate the increase in school populations by compulsory education of five years olds, and from what funding source will these resources be provided?
- (3) What will be the eligibility selection criteria for compulsory education for five year olds?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) (a) The Government is not considering the introduction of compulsory education for five year olds.
- (b) See above.
- (2)-(3) See (1)(a) above.

TRAFFIC LIGHTS - CAMERA FACILITIES INSTALLATION *Serious Accidents; Infringement Notices*

435. Mr NICHOLLS to the Minister representing the Minister for Police:

- (1) Which intersections have had camera facilities installed to allow photographs of motorists infringing the red signal?
- (2) How many serious accidents occurred at each intersection for each of the previous three years prior to the installation?
- (3) How many serious accidents have occurred at each of the intersections on a yearly or part yearly basis since the facility was installed?

- (4) How many infringement notices have been recorded by the facility at each intersection -
 - (a) on a quarterly basis since implementation;
 - (b) what is the amount of revenue raised through such infringements?
- (5) What was the installation cost per intersection?
- (6) What are the maintenance or associated cost for these facilities?

Mr GORDON HILL replied:

- (1)
 - (a) Fitzgerald Street/Vincent Street, North Perth.
 - (b) Leach Highway/Bungaree Road, Wilson.
 - (c) Riverside Drive/Causeway, East Perth.
 - (d) Albany Highway/Grose Street, Cannington.
 - (e) Shepperton Road/Oats Street, East Victoria Park.
 - (f) Great Eastern Highway/Shepperton Road, Victoria Park.
 - (g) Canning Highway/Riseley Street, Applecross.
 - (h) Walter Road/Coode Street, Morley.
 - (i) Thomas Street/Rokeby Road, Shenton Park.
 - (j) Guildford Road/East Parade, Mt Lawley.
 - (k) Great Eastern Highway/Cornwall Street, Rivervale.
 - (l) Canning Highway/Douglas Avenue, South Perth.
 - (m) Wellington Street/Havelock Street, Perth.
 - (n) George Street/Hay Street, Perth.
 - (o) Charles Street/Newcastle Street, West Perth.
 - (p) Canning Highway/Kintail Road, Applecross.
- (2)-(3) Not available from police records - Main Roads Department hold these statistics.
- (4)
 - (a) Not available.
 - (b) Not available - all revenue is collected by Crown Law Department.
- (5) Average \$2 500.
- (6) Bimonthly preventive maintenance service of \$500 per camera = \$3 000 annually per camera. Site maintenance performed by Main Roads Department.

MULTANOVAS - STATISTICS

Infringement Notices; Costs; Regular Sites; Hours of Use; Responsible Officers

436. Mr NICHOLLS to the Minister representing the Minister for Police:

- (1) How many Multanova speed cameras are now being used in Western Australia?
- (2) When did each come into operation?
- (3) How many infringements have been issued from each camera since its inception?
- (4) What is the cost of purchase of each unit?
- (5) What is the cost of setting up this instrument on a road side?
- (6) What are the maintenance costs of each unit?
- (7) How many sites are regularly used for the positioning of these instruments?
- (8) During what hours is this instrument usually used?
- (9)
 - (a) Are specific Police Officers designated to be responsible for the implementation of these instruments on the road side each day;
 - (b) if so, how many are involved?
- (10) How many people have challenged infringement notices which they have received?

Mr GORDON HILL replied:

- (1) Five.
- (2) Three on 14 January 1991 and two on 12 September 1991.
- (3) Total from 14 January 1991 to 31 March 1992 = 83 978. Individual totals not available.
- (4) Three at \$65 856 and two at \$35 000 each.
- (5) No cost.
- (6) Total maintenance cost for financial year to 9 April 1992 = \$423. Individual costs not known.
- (7) It is an operation decision to attend locations based on the criteria of -
 - Black spots
 - Speed related crash areas
 - Complaint areas.

These locations are visited as many times as is necessary to reduce the speed in the area concerned.

- (8) 0600 - 2400 hours.
- (9) (a) Yes.
(b) Two per camera.
- (10) Unknown.

GOVERNMENT BUDGET - GOVERNMENT POLICIES PRIORITY RANKINGS 1992-93

439. Mr McNEE to the Minister for Agriculture:

- (1) Has the Government ranked its policy areas by priority for the 1992-93 State budget?
- (2) If so, what priority ranking has the Government attached to the agricultural policy area?
- (3) Does this reflect the Government's attitude to the agricultural sector's importance to the Western Australian economy?
- (4) If not, why not?

Mr BRIDGE replied:

The member would be aware that the processes and deliberations of Cabinet are not divulged to Parliament. The prioritisation of policy areas is only one of many influences and practical considerations which shape final Budget allocations. I will be pleased to provide the member with a copy of the Budget papers when these are finalised.

LAMBS - SLAUGHTER STATISTICS AND EXPORTS *Weight Below 14 Kg*

440. Mr McNEE to the Minister for Agriculture:

- (1) What was the number of lambs slaughtered weighing below 14 kg in 1990-91?
- (2) What was the number of lambs exported weighing below 14 kg in 1990-91?

Mr BRIDGE replied:

- (1) The number of lambs weighing 14 kg and below - hot standard carcase weight - slaughtered for the Western Australian Meat Marketing Corporation in 1990-91 was 469 455.
- (2) The information is not readily available and would require additional time and resources to compile.

SOUTH WEST DEVELOPMENT AUTHORITY - PEEL REGION PROJECTS
Mandurah Office Project Proposals

444. Mr NICHOLLS to the Minister for South-West:

- (1) How many projects has the South West Development Authority undertaken in the Peel region in each of the previous four years and -
 - (a) how much did each project cost;
 - (b) (i) how many people from the Mandurah office were involved;
 - (ii) how many man-hours did they contribute;
 - (c) how many long term employment opportunities did each project create for a local resident;
 - (d) (i) how many are regarded as social development;
 - (ii) how many are industrial or economic;
- (2) How many project proposals have been submitted to the SWDA by the Mandurah office, prior to each budget -
 - (a) since 1986;
 - (b) how many have been approved?
- (3) What is the breakdown of the current debt carried by SWDA and/or what projects specifically incurred these debts ?

Mr D.L. SMITH replied:

- (1) The projects undertaken by the South West Development Authority are reported in its annual report. The detailed information requested is not readily available and will take significant staff resource to obtain.
- (2) The budget preparation process in SWDA is similar to many other agencies where a large number of potential projects are discussed, further detail provided on high priority projects and then a budget submission prepared. It is not possible to determine the number of individual proposals submitted prior to each budget since 1986 due to the nature of this process.
- (3) The SWDA debt at 31 March 1992 is composed of three elements -

Repayable by SWDA	\$14 723 764.12
Repayable by Bunbury City Council	1 901 131.07 (Cnt Centre Loan)
Repayable by Bunbury City Transit	1 452 272.48 (Bnby City Transit Loan)
Total	\$18 077 167.67

A list of the projects on which money has been borrowed and is repayable by SWDA is as follows -

South West Development Authority Capital Works Projects

Australind Sporting Complex - Stage 1
 Australind Sporting Complex - Stage 2
 Boyup Brook - Rylington Park
 Bridgetown Community Centre
 Bunbury Area Development
 Bunbury Bird Park
 Bunbury Central Business District
 Bunbury Entertainment Centre
 Bunbury Harbour City Development - Lot 681
 Bunbury Harbour City
 Bunbury Timber Jetty
 Collie Area Development
 Collie Community Centre
 Collie Community Centre - Town Square Lighting

Collie Day Care Centre
Collie Industrial Estate - Infrastructure
Collie Integrated Accommodation
Collie Round House
Collie School of Mines
Collie Tourist Development
Collie Townscape
Donnybrook Swimming Pool
Information and Marketing Branch
Integrated Catchment Study
Investment and Development
Islands of Green
Kemerton Advisory Board
Kemerton Interpretive Centre
Kemerton Planning and Community Facilities
Kemerton Planning and Promotion
Kemerton Research - Hazards
Kemerton Research - Noise
Kemerton Social Impact
Land Acquisition - Binningup
Land Acquisition - Glen Iris
Land Acquisition - Picton
Leeuwin-Naturaliste Development
Leschenault Peninsular Development
Mandurah City Concept
Mandurah City Status
Mandurah Ocean Marina
Mandurah Senior Citizens Centre - Construction
Mandurah Senior Citizens Centre - Documentation
Mandurah Tourist Development
Manjimup Community Centre
Manjimup Tourist Development
Milligan House - Extension and Demountable
Nannup Tourist Facilities
Parks and Zoo Feasibility Study
Pat Usher Promenade
Peel Tree Planting
Picton Industrial Estate
Pinjarra Industrial Estate - Infrastructure
Playground Development
Policy and Planning Branch
Preston River Cycleway
Regional Services Branch
Surfers Point
S/W Cycleways
Townscape Implementation
Townscape Planning
Vasse Tourist Development
Warren Blackwood Tourist Facilities
Wellington Dam Development
Yarloop Workshops

CAMP QUARANUP - MANAGEMENT TENDERS

445. Mr HOUSE to the Minister representing the Minister for Sport and Recreation:

- (1) Have tenders been called for the management of Camp Quaranup?
- (2) What are the reasons for the tender?
- (3) Will the Minister give an undertaking to the schools, community groups, pensioner groups and other people who currently use the facility, that the costs of using Camp Quaranup will not increase if the tender is successful?

(4) If the Minister cannot give such a commitment, what are the reasons?

Mr GORDON HILL replied:

(1)-(4)

Registrations of interest have been invited to allow opportunities to be assessed for Camp Quararup to become more viable. While no commitment can be given that there will be no price increase for users, future pricing structures should remain reasonable to ensure the camp continues to be available and affordable to current users.

DROUGHT - AID *Government Allocation*

448. Mr HOUSE to the Minister for Agriculture:

- (1) What was the total amount of funds that the Government has allocated for drought aid this financial year?
- (2) Of the above funds, how much has been released in total to drought afflicted farmers?
- (3) What are the terms and conditions that drought-afflicted farmers must fulfil in order for their application for drought assistance to be successful?
- (4) How many applications have been made for this drought assistance?
- (5) How many applications have been approved?
- (6) How many applications are still pending?
- (7) What is the average value of assistance per farmer of drought aid?
- (8) From which shires have applications for drought assistance originated?
- (9) How many per shire?
- (10) From which shires have successful applications for drought assistance originated?
- (11) How many per shire?
- (12) From which shires have unsuccessful applications for drought assistance originated?
- (13) How many per shire?

Mr BRIDGE replied:

(1),(2),(7)

In 1989 the Commonwealth Government removed drought from the national disaster relief arrangements, under which the Commonwealth and States provided direct financial assistance to drought affected farmers. Under existing arrangements financial assistance is available at all times through the full range of Rural Adjustment Scheme measures. Under these arrangements allocated funds will not specifically identify those used to assist farm businesses affected by drought. In 1991-92 however \$265 000 was allocated in the Department of Agriculture budget to provide assistance to pastoralists in the Pilbara who had previously been drought declared. At 31 March 1992 \$235 570.77 of this allocation had been spent.

- (3) Farmers may continue to apply to be drought declared. Such declaration does not entitle a farmer to Government financial assistance but may be of value for taxation or legal purposes. Drought declaration is based on an assessment of crop or pasture yields. In the case of grain producers a farmer is drought declared if the total yield was less than 55 per cent of the long term shire average.

(4)-(6),(8)-(13)

With respect to "drought declaration" the following table outlines the situation until 31 March 1992 -

Shire	Number of Applications	Number of Successful Applications	Number of Unsuccessful Applications	Pending
Dalwallinu	5	4	1	
Koorda	13	4	8	1
Mt Marshall	10	5	5	
Morawa	4	1	3	
Mukinbudin	4	3	1	
Nungarin	22	13	10	1
Perenjori	16	8	8	
Ravensthorpe	1		1	
Trayning	1		1	
Westonia	4	1	3	
Total	80	39	41	2

MOTOR VEHICLE DEALERS ACT - AMENDMENTS*Motor Vehicle Contracts Cooling off Period Extension*

451. Mr MacKINNON to the Minister for Consumer Affairs:

Is it the Minister's intention to introduce into the Parliament this session an amendment to the Motor Vehicle Dealers Act 1973 to extend the cooling off period for motor vehicle contracts?

Mrs HENDERSON replied:

It is proposed to introduce amendments to the Motor Vehicle Dealers Act to implement a range of reforms including a 24 hour cooling off period for used motor vehicle contracts.

CAPE PERON STUDY - FINAL REPORT*Completion Date*

453. Mr MacKINNON to the Minister for Planning:

- (1) Has the final report of the Cape Peron Study been completed?
- (2) If not, when is it expected to be completed?

Mr D.L. SMITH replied:

- (1) No.
- (2) Mid 1992.

ROTHWELLS TASK FORCE - MEMBERSHIP

455. Mr MacKINNON to the Premier:

- (1) How many people currently comprise the Rothwells Task Force?
- (2) Who heads the Rothwells Task Force?
- (3) To whom is the Task Force responsible?

Dr LAWRENCE replied:

- (1) The Rothwells Task Force is a joint exercise involving Public Service, police, Australian Securities Commission, casual and consultancy staff. The State involvement is 15 persons.
- (2) Mr Leigh Warnick.
- (3) Director of Public Prosecutions - State - and the Australian Securities Commission.

WATER AUTHORITY OF WESTERN AUSTRALIA - GROUNDWATER WELLS, BUNBURY WATER BOARD AREA*Licence Fees Proposal*

456. Mr MacKINNON to the Minister for Water Resources:

- (1) Is the Government considering imposing groundwater well licence fees within the Bunbury Water Board area?

- (2) If so, for what reason is this proposition being considered?
- (3) Who would be liable to pay licence fees under the proposal?
- (4) What would be the expected revenue received on the basis of these fees?

Mr BRIDGE replied:

(1)-(4)

Proposals for the introduction of groundwater well licence fees have been deferred.

CARAVAN PARKS - REGULATIONS AMENDMENTS GAZETAL PLANS

457. Mr MacKINNON to the Minister for Local Government:

- (1) Has the Government any plans to gazette amendments in the coming year to regulations which affect caravan parks?
- (2) If so, what is the nature of the regulations?

Mr D.L. SMITH replied:

- (1) When the legislative program permits, the Government proposes to introduce a new Caravan Parks Act which will empower regulations to be made, replacing existing Health Act regulations and by-laws made by local governments.
- (2) The new regulations will license, regulate and control the development and operation of caravan parks; the construction of park homes and annexes and the activities of tenants.

SWIMMING POOLS - MANAGERS

Employment Requirements Review

458. Mr MacKINNON to the Minister for Health:

- (1) In reference to question on notice 155 of 1992, who is currently reviewing the employment requirements for swimming pool managers as referred to in part (3) of this question?
- (2) What additional qualifications are anticipated to be required as part of this review?
- (3) What is the purpose of the review and who initiated it?

Mr WILSON replied:

- (1) The Environmental Health Branch of the Health Department of Western Australia.
- (2) A certificate from the Department of Technical and Further Education - TAFE - will be a prerequisite from the opening of the 1992-93 season. The minimum number of hours of practical experience and supervision required for approval will be reduced from 800 to 100 hours.
- (3) The review of qualifications was initiated through an approach by TAFE to the Health Department, to regularise and improve the approval process and formalise the qualifications of swimming pool managers.

AUDITOR GENERAL'S REPORTS - FIRST GENERAL REPORT ON STATUTORY AUTHORITIES

Rural Adjustment and Finance Corporation Act - Amendments Introduction Date

463. Mr HOUSE to the Minister for Agriculture:

In relation to the findings of the first General Report of the Auditor General for 1992 on Statutory Authorities, when will legislative amendments to the Rural Adjustment and Finance Corporation Act 1985 recognising the provisions of the 1988 agreement between the Commonwealth and the States and the Northern Territory, giving the Corporation the power to conduct the arrangements agreed to between the State and Commonwealth, be introduced?

Mr BRIDGE replied:

This matter is being considered under the review of the services in the portfolio and is being progressed as quickly as possible.

**WATER AUTHORITY OF WESTERN AUSTRALIA - HEADWORKS FOR
WATER SUPPLY AND SEWERAGE CHARGES**

Albany Builder's Payment Reason

464. Mr HOUSE to the Minister for Water Resources:

Why was a builder in Albany required to pay fees for water and sewerage of approximately \$2000 per unit of which there are seventeen, when the block concerned already had these headworks?

Mr BRIDGE replied:

Consistent with practice throughout Western Australia developers undertaking developments with demands greater than that anticipated from a normal single residential property, are required to contribute towards the cost of the Water Authority's headworks for water supply and sewerage, both at the subdivision stage and the building stage. (Headworks cover such facilities as dams, wellfields, water and wastewater treatment plants, major distribution components, etc). The level of contribution for multiunit residential developments is assessed according to the number of units being developed. The contribution payable on the development in question was assessed strictly in accordance with the Water Authority policy. The Water Authority has produced a booklet that fully explains the current policy, and I have arranged for a copy to be forwarded to the member for Stirling's electorate office.

**WATER AUTHORITY OF WESTERN AUSTRALIA - HEADWORKS FOR
WATER SUPPLY AND SEWERAGE CHARGES**

New Policy Reasons; Comparison with Previous Charges; Increases

465. Mr HOUSE to the Minister for Water Resources:

- (1) What are the reasons for the Water Authority's new headworks charging policy, implemented on 1 July 1991?
- (2) What are the details of the new charges for water and sewerage headworks, compared with the previous charges?
- (3) Will these charges be increased any time within the next twelve months?
- (4) If yes, what will the increases be?

Mr BRIDGE replied:

- (1) Prior to July 1991 the Water Authority was only recovering around 22 per cent of its headworks costs. This level of recovery was below the target of 33 per cent previously agreed to by the industry in 1981 and was inadequate if the authority was to provide services consistent with orderly development. After considering a submission from the Water Authority, Cabinet approved the level of recovery being lifted to 33 per cent for 1991-92 and 40 per cent for 1992-93.
- (2) The standard headworks contribution amounts for water and sewerage in June 1991 and July 1991 were -

	June 1991	July 1991
Water	\$1 288	\$1 882
Sewerage	\$651	\$1 050

(3)-(4)

Standard headworks contributions increase monthly in accordance with a formula based on the movement in certain Australian Bureau of Statistics indices and as agreed to by the development industry in 1981. As mentioned in the answer to (1) above, Cabinet approved the recovery level being increased to 40 per cent for 1992-93.

**COMMERCIAL TENANCY (RETAIL SHOPS) AGREEMENT ACT - REVIEW
RECOMMENDATIONS
*Government Action***

510. Mr MacKINNON to the Minister for State Development:

What action does the Government intend to take as a consequence of the recommendations contained in the review of the Commercial Tenancy (Retail Shops) Agreements Act 1985 as tabled by the Minister on 3 December 1991?

Mr TAYLOR replied:

See answer to question 162.

QUESTIONS WITHOUT NOTICE

PARLIAMENT HOUSE - SEXUAL HARASSMENT ALLEGATIONS

Identity of Senior Labor Member - Premier's Awareness

87. Mr MacKINNON to the Premier:

- (1) When was the Premier first made aware of the identity of the senior Labor member of Parliament about whom complaints reportedly have been made to Whistleblowers Anonymous?
- (2) How did she become aware of these allegations?
- (3) What action, if any, has she taken since receiving this information to ascertain whether the complaints are accurate?

Dr LAWRENCE replied:

(1)-(3)

I noticed earlier today that the Opposition, quite sensibly at that time, decided not to give notice of a motion it had intended to move in relation to this matter. That was the correct judgment for the Leader of the Opposition to make. I am disappointed now that he seeks to do otherwise. Today, because of the unprincipled behaviour of a journalist, we have had from the Speaker a statement to this House. I think members opposite, and the Leader of the Opposition particularly, would do well to treat this matter with care. Everyone in this place would do well to treat this matter with care, and that was precisely the point the Speaker made in his statement.

However, for the benefit of members, I might say that the way this matter has been handled by the organisation called Whistleblowers Anonymous should give all of us cause for concern. The first allegation was that it was members of Parliament, sex unspecified. Then it emerged that it was probably a male member of Parliament. It subsequently was said to be a senior member of Parliament, and only in the last two days was it said to be a senior member of the Government. That information was made available to me, as it was to all members, through the various arms of the Press. If any members opposite had been listening, as I am sure many of them were - and indeed, they may have been contributing - they would know that many names were being bruited about, some on the Opposition's side of the House and some on our side; none of them, I might say, with any foundation.

I made a statement yesterday in a Press conference that I had not been made aware from any source that I regarded as legitimate of the identity of any person. I have had no telephone call, no letter, no formal complaint. When being pressed by a journalist who named the Speaker, Mr Barnett, as the Speaker said in his statement - and it was a most imprudent thing for the journalist to do, I might say - I said yes, I had heard that name, along with many others.

Mr MacKinnon: When?

Dr LAWRENCE: In the course of the past few days. As the Leader of the

Opposition knows, the rumour mill in this town is very fertile. Members of the media in particular have been speculating for some days and weeks about who it might be. I have given no more credence to one name than to any other, on the Opposition's side of the House - and I will not embarrass members opposite by saying whom the speculation was about - and on this side of the House. At no stage have I given credence to any of those complaints because there is an avenue open, and clearly open, to any person to complain. I have had an opportunity to get information, both from the Equal Opportunity Commissioner and from others who would know the legal status, and the advice I am given by the Crown Solicitor is that any complainant could approach the Commissioner for Equal Opportunity, who could in turn determine whether the matter of complaint was within the jurisdiction of the Equal Opportunity Act and take appropriate action. I think that is what should occur. If members opposite and the Leader of the Opposition want to be judge and jury in this matter, frankly they can be. I know from my side of the House that sexual harassment of employees in this place or any other is not tolerated. The Speaker has clearly indicated his objection to the allegation and his repudiation of it; and other people, at least on this side of the House, who have been speculated about have equally refuted the allegations. I am not sure the same could be said of members on the other side of the House.

BLOOD ALCOHOL LEVELS - 0.05 LEGISLATION PLANS

88. Dr EDWARDS to the Premier:

What are the Government's legislative plans to make it an offence to drive with a blood alcohol level of 0.05 per cent?

Dr LAWRENCE replied:

I think it is important for the House to recognise that the Government today gave notice of its intention to reintroduce the 0.05 per cent blood alcohol level legislation. The evidence that abounds clearly indicates that 0.05 is a sensible procedure. It is justified by the accident statistics and by the risks posed to the community.

Mr Cowan: Rubbish!

Dr LAWRENCE: I know there are members, of the National Party particularly, who disagree with that. However, the point I want to make is that the Government's reason for reintroducing the legislation is precisely that it will improve the road trauma statistics for people in this community who are at risk, both as drivers and as victims of drivers, from excessive consumption of alcohol on our roads. If any member of this House believes otherwise he or she should have a good, hard look at the figures. However, we were not about to be bulldozed by the Federal Minister responsible for this portfolio area, Mr Brown. He had indicated that unless we passed the legislation funds would not be made available to Western Australia. That is not our reason for proceeding, but I took the necessary precautions when I went to the Premiers' meeting in Melbourne, since I had heard from sources within the Federal Government that Mr Brown was again threatening to withhold those funds and redistribute them to the other States. I am pleased to say that the Premiers, as one - interested, as Mr Brown appears not to be, in One Nation - actually agreed that they would not receive those funds were Mr Brown to attempt to redistribute them. So yes, we fully support 0.05 legislation; but no, Mr Brown cannot use those bullying tactics and the Premiers are of one mind on that matter.

NATIONAL ROAD TRANSPORT COMMISSION - VEHICLE LICENCING AND ROAD USE CHARGES *Recommendations*

89. Mr COWAN to the Minister for Transport:

(1) Has the Federal commission responsible for uniform national vehicle

registration made any recommendation regarding vehicle licensing and road use charges?

(2) Have the recommendations been published, and what are they?

Mrs BEGGS replied:

(1)-(2)

The National Road Transport Commission has now put out a discussion paper on charges for heavy vehicles. I have a copy with me - it was in my papers today - and I have a summary of it from the Department of Transport. It is a summary discussion paper on charges for heavy vehicles and it asks for community and Government response to it by the end of May so that proposals on this matter can be put to the Ministerial Council in June. While the commission has not supported the overarching group on land transport charges it has come out with a table of charges which will apply to heavy vehicles. In the interests of brevity I will not go through those charges now, but I am still concerned that the charges the commission is proposing are very high and I think they would have an enormous impact on the rural community of Western Australia, particularly at this time.

I support the work of the National Road Transport Commission and the way it has gone about this task, and the very good consultation it has had throughout Australia, particularly in Western Australia - and I give credit to Dr John Taplin for his determination to come up with something reasonable and feasible. However, I still think many people in the road transport industry will be very concerned about it. Many people in rural areas will have concerns about the impact of the costs relating to those charges. However, this document is now in the form of a discussion paper and we will make a formal response to the National Road Transport Commission regarding our concerns.

Mr Cowan: Can you try to blackmail them to do something about it, suggesting you will not support any complementary legislation? Blackmail seems to be the thing these days.

Mrs BEGGS: I have given a commitment in this Chamber many times that the Western Australian Government will be very conscious of any impact this proposal will have on rural areas and on the general economy. We will not be accepting any proposal without having time to thoroughly examine its impact. The National Road Transport Commission also said that it will not support the zonal charge system, which was recommended by a Premiers' Conference. That applied to a zone A and a zone B system.

Mr Cowan: Good.

Mrs BEGGS: I am happy to make the discussion paper available to members and I will be pleased to receive input from all members, and particularly from members of the National Party representing rural areas. The consultation they can provide from local groups will be very useful. This kind of issue can receive bipartisan support because it is a State by State issue. I am serious and I do not know why the member for Cottesloe is laughing. We are considering an issue which will have very important implications for Western Australia and we must ensure that the State adopts the right position.

DUCK SHOOTING - PRO DUCK SHOOTING CAMPAIGN *Targeting Marginal Country Labor Seats*

90. Mr READ to the Minister for the Environment:

Is he aware of a campaign by the pro duck shooting lobby targeted at marginal country Labor seats?

Mr PEARCE replied:

I thank the member for some notice of not only the question, but also the answer to the question. I was not aware of the campaign until the member

drew it to my attention. Apparently an advertisement appeared today in the *Mandurah Telegraph*. The advertisement is headed in large writing "Sporting Notice!!", and reads -

Which political party agreed to ban duck shooting in W.A.?

It is done on a "Trivial Pursuit" sort of basis; it continues -

Which political party listens to the city-based Animal Liberation Movement?

Which political party is likely to ban all shooting and fishing?

They said it would never happen with duck shooting. Now they say it won't happen with shooting and fishing.

Do not believe them!

Tell your Labor politician -

This advertisement refers to the member for Murray; it continues -

... you will vote at the next election for game sport freedom.

The advertisement is lavishly illustrated with a drawing of a person. I do not know whether it is intended to be me, but it is not a great likeness. The person has very long hair and a straggly beard.

Mr Shave: It is you in your younger days.

Mr PEARCE: It may well be! This person is wearing John Lennon glasses and a nuclear disarmament badge, and appears to be smoking an illegal cigarette. He is wearing floral trousers which are drawn up to reveal very hairy legs; I indicate to members that I came third in the Mr Hairy Legs competition at the University of Western Australia. The person in the illustration is wearing shoddy old shoes and a dole card is lying on the floor behind him. He is carrying a placard saying "ban duck shooting", "ban fishing" and "ban gun ownership." This expensive advertisement has had its effect - members should not believe that such ads do not work. The member for Murray has received two telephone calls - one for and one against duck shooting!

I am advised that a similar advertisement appeared in the *South West Times* last week urging people to ring the member for Bunbury - he received one phone call as a result of that advertisement. However, the member for Murray has pointed out that he has received a number of phone calls from people in the Perth area regarding this matter. This leads to two conclusions: Either the *Mandurah Telegraph* is widely read by duck shooters in the Perth area, or, and more likely, an effort is being made to pretend to the member for Murray that people who live outside the member's electorate really live within his electorate and are likely to have an impact on the member at the next election. I give some free political advice to the duck shooting lobby: It does not pay to underestimate the intelligence of the electorate.

PARLIAMENT HOUSE - SEXUAL HARASSMENT ALLEGATIONS
Commissioner for Equal Opportunity - Jurisdiction Assurance

91. Dr CONSTABLE to the Premier:

I refer to the Premier's comments reported in *The West Australian* this morning regarding sexual harassment in Parliament House. Can she assure this House that the Commissioner for Equal Opportunity actually has jurisdiction in the alleged circumstances?

Mr Cowan: No.

Dr LAWRENCE replied:

I heard the Leader of the National Party give an answer to that question, but I think he would find that it depends very much on the nature of the complaint.

Mr MacKinnon: Of course it does!

Dr LAWRENCE: Exactly. Until the complaint is made and assessed, the question of jurisdiction cannot be assessed. The advice is that in the case, for instance, of the President and the Speaker, a matter would be well within the jurisdiction of the commissioner; but in other cases, it is a matter of interpretation. However, the proper course of action - and I hope the member for Floreat endorses this - is that the complaints should be made to the Commissioner for Equal Opportunity who has the legislative authority and experience to determine whether she has jurisdiction. Unless and until a complaint is made, even that question cannot be answered.

PARLIAMENT HOUSE - SEXUAL HARASSMENT ALLEGATIONS

Commissioner for Equal Opportunity - Inquiry into Staff Complaints Advice Tabling

92. Mr MacKINNON to the Premier:

- (1) Will she table the advice received about the entitlement of the Commissioner for Equal Opportunity to inquire into complaints from staff employed at Parliament House?
- (2) If not, why not?
- (3) On what basis, upon receiving a complaint from an employee of Parliament House, can the Commissioner for Equal Opportunity question members of Parliament about such complaints?

Dr LAWRENCE replied:

(1)-(3)

I have answered that question already. Clearly, the nature of the allegation determines whether there is jurisdiction. Members of Parliament should understand that the equal opportunity legislation relates to employment, and it is designed to look in particular at the relationship of someone who is in a position of authority with an employee. However, it does not cover the relationships, for example, between members of Parliament or between peers in an employment situation. That is the situation throughout the State. The legislation is designed to protect workers from sexual harassment in circumstances where they feel that their failure to comply with the harassment or to the suggestions made will lead to discrimination in some way; this may relate to reduced promotion opportunities or lead to unfair dismissal. That is what the Act does and what the Parliament decided it should do.

Members of Parliament should not be above the law. If sexual harassment allegations are made between two members of Parliament, the legislation does not deal with that. The same situation applies with two employees of the Water Authority or within the private sector; that is, if they are peers and do not have authority over one another, the Act does not apply. However, if a employee-employer status applies, or somebody is standing in for the employer, it is possible for a complaint to be made to the Commissioner for Equal Opportunity and for that complaint to be assessed. As I said yesterday, the Parliament should, as a matter of urgency, develop through the Joint House Committee appropriate procedures for dealing with sexual harassment, as has been the case in other Government departments and agencies. We all take responsibility for that, and so we should.

If the advice from the commissioner is that she cannot deal with the allegations once they are made, appropriate legislative changes should be made. Until such time that a complaint is made, it is not possible for anyone to assess whether it applies in this instance or in others. The legislation should clearly apply when a person has influence over the employment prospects of another. If that is someone employing an electorate secretary, or if it is someone in this House who has the capacity to influence the employment prospect of a member of the parliamentary staff, that should apply. However, my understanding is that in that case it does apply.

Mr MacKinnon: It does not.

Dr LAWRENCE: The Leader of the Opposition is saying with certainty that it does not apply.

Mr MacKinnon: What about the case in the Ministry of Education last year?

Dr LAWRENCE: That is a separate matter. That involved two separate employers and there is a question of common employers.

Mr MacKinnon: That is exactly the same position.

Dr LAWRENCE: It is not the same issue. It is typical that the Leader of the Opposition should seek to distort the truth. He would well know that legal advice to Government is not made available to the public, particularly in the form I have here - namely, a brief note - but I undertake to provide to the Parliament a legal opinion on the Act and its limitations. As it is an issue -

Mr MacKinnon: Put up or shut up.

Several members interjected.

Mr MacKinnon: Why not provide that advice?

Dr Lawrence: I will undertake to provide to the House legal advice about the deficiencies in our legislation as they may apply to circumstances in this place. Advice to me is that in the case of the President and the Speaker there is no doubt that the legislation could be applied.

NUCLEAR POWER - GOVERNMENT CONSIDERATION

93. Mrs WATKINS to the Minister for Fuel and Energy:

Is the Government considering nuclear power as an option for the State's energy needs?

Dr GALLOP replied:

Earlier this year I entered into some healthy dialogue with the member for Greenough on this subject and since then he has become silent on the matter. It struck me this morning that the debate had been raised again; and from which source? It was raised by our very good friend, the former member for Murchison-Eyre; the ubiquitous Ross Lightfoot. He is a bit like a triffid: One thinks one is in control of him, but then he pops up somewhere else. He was also well known for corresponding with George Shultz. Some of that correspondence will go down in the annals of Australian history.

The simple answer to the question is no; the Government is not considering nuclear power for future energy options. There are three reasons for that: Firstly, capital costs for nuclear power are enormous. To carry that sort of cost in a State like Western Australia with its market size would not be in the interests of the people. Secondly, the time it takes to build a nuclear power station is great and that contributes to its cost. Thirdly, and very importantly, is the problem of waste removal. Last year I had the privilege of talking to the British Conservative Party Minister who was responsible for these issues. He made the very interesting point that the Government of Great Britain was committed to privatisation, but that the one area of industry which could not be privatised was the nuclear power industry. The reason for that was that the stock market would not put a price on nuclear power because the risks involved with that investment were so great that no investor would be involved in the nuclear power industry in Great Britain.

The Government's energy strategy is clear. I would like the member for Wanneroo to take this message to her constituents when they consider the Labor candidates for the North Metropolitan Province against the Liberal candidates: The Labor Party proposes a mixture of coal and gas in its system of energy; it envisages better demand management and energy conservation, as has already been seen with the new tariff which was introduced this year. It will see new renewable energy enter the marketplace in Western Australia as a result of the Government's new renewable energy tariff and the

experiments in wind power, landfill gas and solar energy. In the near future tenders will be let by the State Energy Commission of Western Australia for the new \$5 million wind farm in Esperance.

I do not know what is the Liberal Party's strategy. Sometimes the member for Nedlands talks about energy and a couple of weekends ago the Leader of the Opposition talked about energy. Opposition members have so much energy that they are flying in all directions. The Labor Party knows what is its strategy and I can assure the member for Wanneroo that nuclear power is not part of that strategy.

INDUSTRIAL RELATIONS ACT - AMENDMENT UNPROCLAIMED REASON
Parliament House Employees' Protection

94. Mr LEWIS to the Premier:

- (1) Why is legislation presented to this Parliament in November 1987 to amend the Industrial Relations Act to provide "employment rights equal to those in other areas of Government and in the community generally" to employees of this Parliament yet to be proclaimed?
- (2) What action does the Premier intend to take to either proclaim this legislation or ensure proper protection is afforded to these employees?

Dr LAWRENCE replied:

(1)-(2)

On this issue members opposite have been as silent as a tomb. Again, the Opposition reacts to media driven policy initiatives. Until the Opposition has authority and endorsement from media sources it does not run on issues. On this matter, members opposite were very coy until it became clear that the person about whom allegations were being made was a Government member. Absolute silence! The only person from whom we heard a peep was the member for Floreat. Other members were conspicuously silent.

Although the legislation, which has not been proclaimed, dealt with some of the issues, advice to Government was that it did not sufficiently clarify who was an employer and, therefore, who was answerable under the various Acts which seek to protect employees. I draw members' attention to items 17, 18 and 19 on the Notice Paper which clearly seek to remedy this problem. We all want to see it remedied. However, as members well know, from time to time both Houses of Parliament have sought to ensure their independence from the Executive. It has not been an easy matter to negotiate these questions, but it is one to which we are all committed; and we should be. When these pieces of legislation are considered before the end of the sitting they will pass through both Houses of Parliament as quickly as possible in order to afford parliamentary staff appropriate protection.

I find the attitude of members opposite hypocritical in the extreme. They are opportunists of the first water and have not shown themselves to be interested in this matter except when the media have raised it. Members opposite should run their own agenda and not be slaves to the media in this town.

Mr Lewis: What happened to the last complaint? You are supposed to support women's interests.

Dr LAWRENCE: The member for Applecross certainly does not.

SUPERANNUATION - WAGE PAYMENT INCREASE PROPOSAL
Federal Initiative Support

95. Mr TRENORDEN to the Minister for Microeconomic Reform:

Does the Minister support the Federal Government's attempt to increase the percentage of wages paid to award superannuation?

Dr GALLOP replied:

The State of Western Australia, like the Federal Government, is moving to

encourage the development of superannuation as part of the wages system in this country. That has been a product of the Labor Government - not the Opposition - which is laying the foundations for a much better policy in this country. However, certain problems exist in the Federal Government's initiative which must be taken into account by the State Governments because their own superannuation schemes are subject to legislation. It must be pointed out to our Federal Government colleagues that legislation takes time to pass through Parliament and that any changes will result in financial implications for our State Budget. I am sure the Premier, in discussions at intergovernmental level, along with her other colleagues of the States, will point out to the Federal Government very strongly that problems can result if cooperation does not occur in the implementation of this Federal superannuation initiative.
