

Legislative Assembly

Thursday, 2 November 1989

THE SPEAKER (Mr Barnett) took the Chair at 10.45 am, and read prayers.

PETITION - GRAYLANDS HOSPITAL

Prison-Forensic Unit - Establishment, Opposition

MR HASSELL (Cottesloe) [10.47 am]: I have a petition that reads as follows -

To: The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned respectfully sheweth:

That the community is extremely concerned about Government plans to establish at Graylands Hospital a prison/forensic unit for mentally disordered offenders and persons who have committed serious offences but have been found "not guilty" by reason of insanity, particularly because such unit will now be in the heart of a residential area and close to a public primary school and private college and therefore your petitioners humbly request that:

1. Plans to establish the prison/forensic unit be abandoned forthwith: and
2. Any future plan to open a prison/forensic unit within a populous suburb and next to schools and playgrounds be fully discussed with and justified to the community and all relevant authorities and interests before such future decision is made.

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

The petition bears 66 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 85.]

PETITION - TRAFFIC ACCIDENTS

Youth Death Rate Concern - Blood Alcohol Content, Legislation Amendment

MR MARLBOROUGH (Peel) [10.49 am]: I have two petitions couched in similar terms. The first reads as follows -

To: The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the Upper School students of De Vialar College are concerned with the high road traffic accident death rate of youth in the 17-24 year age group.

We request that section 64(1) of Road Traffic Act 1974 be amended to lower the percentage of alcohol in blood from 0.08 to 0.05 per centum.

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

The second petition is from students of Melville Senior High School.

The petitions bear 66 and 72 signatures respectively and I certify that they conform to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petitions be brought to the Table of the House.

[See petition No 86.]

MOTION - STANDING ORDERS SUSPENSION*Bills - Second Reading*

MR PEARCE (Armadale - Leader of the House) [10.53 am]: I move -

That so much of the Standing Orders be suspended as is necessary to enable the following Bills to be introduced and taken to the stage that the second reading is moved on the same day -

Acts Amendment (Parliamentary Superannuation) Bill
 Government Employees Superannuation Amendment Bill
 Acts Amendment (Petroleum) Bill
 Petroleum (Registration Fees) Amendment Bill
 Petroleum (Submerged Lands) Registration Fees Amendment Bill
 Lotteries Commission Bill
 State Employment and Skills Development Authority Bill
 Marketing of Potatoes Amendment Bill
 Conservation and Land Management Amendment Bill

These are Bills of which notice was given on Tuesday. Usually, we would now be at the second reading stage, the first reading having been taken yesterday. As yesterday was a day on which Parliament did not sit because of the unfortunate circumstances of the funeral service for our former Governor, Professor Reid, and the fact that Parliament itself will not be sitting next week because of a normal break in parliamentary business, and because we are within four or five weeks of the scheduled end of the parliamentary session, it is in the interests of members to have the second reading of these Bills today so that they will have the week's break in which to consider them. If we did not take that action we could not give the Bills a second reading until the Tuesday of the week after next. In other words the motion will allow members 12 extra days to consider these Bills, and I hope it will be supported.

MR COURT (Nedlands - Deputy Leader of the Opposition) [10.55 am]: The Opposition will support this motion. In relation to what took place on Tuesday I am sure the Leader of the House will appreciate that at the beginning of that sitting we were asked to allow the Bills to proceed to the second reading stage at the same time as the Minister was on his feet presenting the motions. The Leader of the House must understand that it is very hard for us to make a decision while the Minister is actually giving notice of Bills.

Mr Pearce: I do appreciate that, although I was asking to let them go to the procedural first reading stage on Tuesday in order to have the second reading today.

Mr COURT: The Leader of the House knew what he was trying to achieve, but this is the first time it has been brought to our attention. We do not mind making a quick decision for the proper running of the House, but not while the Minister is on his feet.

Mr Pearce: That is fair.

Mr COURT: The second point is that the Leader of the House has indicated that the Government wants to speed up its legislation; that there is a program it wants to get through. We are following the same procedure as in previous sittings of bringing in a large group of Bills towards the end of the sitting. If the Government wants to ensure the proper running of the House and wishes the House to rise before Christmas - we do not mind debating the Bills in full - it should introduce its legislation in plenty of time. A classic example has been the stamp Bills which the Government wanted passed by a certain time, but by bringing them in late did not allow for proper debate and caused itself some problems. The public should be aware that towards the end of this session we are going through the same procedure as in the past of having a lot of Bills introduced at the last minute, and we do not think that is the proper way to run the business of the House.

Question put and passed.

BILLS (2) - INTRODUCTION AND FIRST READING

1. Government Employees Superannuation Amendment Bill

2. Acts Amendment (Parliamentary Superannuation) Bill

Bills introduced, on motions by Mr Parker (Treasurer); and read a first time.

ACTS AMENDMENT (PETROLEUM) BILL

Introduction and First Reading

Bill introduced, on motion by Mr Carr (Minister for Mines), and read a first time.

Second Reading

MR CARR (Geraldton - Minister for Mines) [11.01 am]: I move -

That the Bill be now read a second time.

Closely associated with this Bill are two other Bills; namely, the Petroleum (Submerged Lands) Registration Fees Act Amendment Bill 1989 and the Petroleum Registration Fees Act Amendment Bill 1989. It would, therefore, be appropriate and convenient to address my remarks to all of these Bills, following which I will introduce them separately. These Bills seek to amend the Petroleum Act 1967 and its associated Petroleum Registration Fees Act 1967, the Petroleum Pipelines Act 1969 and the Petroleum (Submerged Lands) Act 1982, together with its associated Petroleum (Submerged Lands) Registration Fees Act 1982.

The amendments, primarily, adopt various improvements made in recent years to the Petroleum Mining Code applying to the Commonwealth's adjacent offshore area. Maintaining this commonality as far as practicable between the petroleum legislation applying to the Commonwealth's submerged lands area and that of the States in their territorial seas is an important feature of the 1979 offshore constitutional settlement between the Commonwealth and the States. Western Australia has long appreciated the benefits of maintaining the Common Mining Code, which we have adopted also for our onshore areas. It will be readily appreciated that a common code provides for easier administration as well as providing a consistent set of rules for the petroleum industry to observe. This is not to say that all of the Commonwealth amendments have been accepted, and where it is considered that these changes are not appropriate they have not been adopted or have been modified to suit Western Australian requirements.

The amendments to be made provide for -

provision for explorers to retain tenure over presently non-commercial discoveries by way of retention leases;

streamlining the registration procedure for legal documents concerning interests in titles and consequential amendments to the fees payable on registration;

improving the administrative processes for the making of regulations and the service of directions which control petroleum exploration and development operations;

the extension and scope of access and special prospecting authorities to facilitate increased seismic acquisition;

the earlier release of basic data and interpretive information supplied by titleholders;

removal of various minor inconsistencies in the legislation;

inspection of a precis of a registered instrument, rather than the instrument itself, so as to preserve confidentiality of information between parties;

ability for minor areas in the register to be corrected;

service of documents on two or more titleholders to be made to a common address;

provision for production of petroleum to occur through a surface installation outside of a production licence by way of a deviated well;

deletion of administratively difficult "over the counter" releases of land for exploration purposes;

nomination of blocks as a location - the forerunner of a production licence or retention lease - to conform to the boundaries of a field rather than the present artificial nine block square;

fees and securities being relocated into regulations so as to facilitate ease of adjustment from time to time;

changes to the Petroleum Registration Fees Acts to reflect amendments in the registration provisions of the principal legislation;

improvements to the Petroleum Pipelines Act involving delegation of duties, definition of pipelines, registration provisions and the address for service of notices so as to reflect the amendments made in the other petroleum legislation;

peripheral facilities, particularly of a minor processing nature, being adopted into an onshore pipeline;

pipelines in the internal waters areas of the State, including all of the Barrow Island loading line, being brought under the jurisdiction of the Petroleum (Submerged Lands) Act of WA;

the Crown land definition in the Petroleum Act being clarified by including reference to the submerged lands between the high water mark and the baseline. This definition has also been expanded to align with the Crown land definition under the Mining Act; and

the creation of an application fee on special prosecuting authorities to cover administrative costs.

The amendments proposed in these Bills have been designed to enhance the administration of petroleum activities. Many of them will also provide further encouragement for the exploration and development of our petroleum resources. I shall elaborate further on the major aspects of the proposed improvements.

The first of these new provisions is that of the retention lease which provides a permittee discovering petroleum, which is currently non-commercial, but which is expected to become commercial within 15 years, with some security of tenure over that discovery. Upon an applicant satisfying the Government that a discovery is not at present commercially viable but is likely to become so within 15 years, a five year lease is granted. Given the uncertainties concerning petroleum prices, marketing opportunities and technological change, a 15 year assessment period should ensure that discoveries with genuine development potential are secured to the explorer.

The grant of a lease may be refused and if this is for the reason that the discovery is presently commercial the permittee may apply for a production licence. Should refusal be on the grounds that discovery is not likely to be commercially viable within 15 years, the blocks concerned will remain part of the exploration permit. During the term of the lease the lessee may be asked to re-evaluate the commercial viability. If following re-evaluation it is considered that the field is commercial, the lease may be cancelled forcing the lessee to take up a production licence or relinquish the area. Renewal of the lease is possible providing the discovery is still not commercial but likely to be so within the next 15 years and providing that the lessee has fulfilled the conditions of the original lease.

The Bill also revises the registration provisions of the petroleum legislation so as to clarify the process of registration of transfers and dealings affecting petroleum titles. The status of transfers and dealings which have not been lodged for registration is clarified and provision is made to keep the register as up to date as possible by requiring that applications for approval of a transfer or dealing are lodged within three months of the execution of the instrument. Applications lodged outside this period will not be approved unless special circumstances exist.

These provisions also encompass an amended scheme of arrangements for registration of specified dealings and clarify the type of dealings which are to be registered to give them effect at law. Dealings which are covered by the amendments are those establishing the initial interests of the titleholders; any subsequent assignment of those interests, including a charge over an interest; dealings giving rise to an assignment of a right; dealings between titleholders in respect of the mode of operations and the rights and obligations of each party; dealings creating or assigning an entitlement to a share of production or revenue from a title, such as an override royalty agreement; and dealings creating or assigning a right or an option to enter into a dealing and a dealing varying or terminating any of the above mentioned arrangements.

Appropriate amendments have been made to the incorporated registration fees Acts which clarify the fees payable upon applications to register transfers or dealings in titles. They

ensure that excessive fees cannot be charged in relation to the series of agreements which give effect to what amounts to be a single transaction.

Amendments to improve the administrative processes for the making of regulations and the service for directions are included in this Bill. The new provisions will facilitate the service of documents, enable codes of practice and standards to be adopted as they exist from time to time and enable the directions and regulations to control certain activities by making them subject to the consent or approval of specified persons. A direction may apply to a titleholder and also to other persons specified in the direction. These persons include those having a contractual relationship with the titleholder. The responsibility for ensuring that all relevant persons are aware of the directions falls on the titleholder. Where the titleholder fails to take appropriate action to make relevant persons aware of a direction, a penalty may be imposed. To safeguard the rights of persons to whom a direction applies, it is provided that they may not be convicted of an offence for failing to comply with a direction unless the prosecution can prove that they knew, or could reasonably be expected to have known, of the existence of the direction.

The Bill also extends the scope of access and special prospecting authorities and facilitates their grant to exploration companies. The extended access authority provisions will enable the holder of a petroleum title in another jurisdiction - for example, the Commonwealth adjacent area or another State - to have access into Western Australian areas for the purpose of tying into some known geophysical control. This is a reciprocal arrangement and will be to the betterment of petroleum exploration Australia-wide. The scope of special prospecting authorities has been extended to allow them to be granted over any vacant area, and more than one person may be granted such an authority over the same area. This extension will promote increased seismic acquisition particularly on a speculative basis by commercial companies.

The Amendment Bill also provides for the earlier release of basic data and interpretive information supplied by titleholders to Government, subject to consultation with titleholders on the release of interpretive information, and will help further exploration activity. Information contained in, or accompanying an application for the grant or renewal of a title, may be released after the grant of the title, unless it is confidential or of a financial nature or covers details of the technical capability of the applicants. Further, factual data and information - that is, data and information which are not conclusions or opinions obtained about a permit or lease area - may be released after two years. The current provisions applying to data and information about permits, provide for five years' confidentiality. When a permit, lease or licence is surrendered, cancelled, determined or expires, factual information will be available for release immediately. Interpretive information - that is, a conclusion of an opinion of a confidential nature - may be released after five years subject to a number of conditions. Such information was previously not available for release at any time.

A further important provision of the Bill and one which is not yet included in the Commonwealth legislation is the ability to produce petroleum through a wellhead outside a production licence area. In view of technological advances made in drilling deviated wells it is now appropriate for production to be allowed through an installation situated outside a production licence area. It was considered that production under these circumstances should be accommodated in the interests of less costly development and for safety and environmental reasons. Presently the legislation provides that a person shall not carry on operations for the recovery of petroleum in an adjacent area except under and in accordance with a licence. This is further complicated where there are two legislative regimes involved, a situation which is likely to be the norm in deviated drilling from an island into an offshore structure.

In this regard any amendments to the legislation would need to be reciprocal between the onshore legislation and our submerged lands legislation. While such a provision would also be advantageous to the Commonwealth legislation, the major circumstances for its application - that is, the drilling of a deviated well from an onshore area into the submerged lands area - would not apply to the Commonwealth because of the breadth of the State's territorial sea. It is considered that the most appropriate way to ensure the legality of recovery from outside the area of a production licence would be to expand the access authority provisions of the legislation. The existing access authority provisions require very

little amendment. Presently the holder of an access authority is prevented from drilling a well and this is proposed to be modified so that a deviation well into an adjacent petroleum title, held by the same party, is allowed. This matter has been discussed by the Australian Minerals and Energy Council's subcommittee on offshore petroleum legislation and although, as previously mentioned, its application in the Commonwealth area is not as great, the committee agreed on the benefits of such a system. There is an immediate need for application of this proposal in Western Australia and it is, therefore, appropriate that our legislation be amended despite the fact that similar amendments may not be made to the Commonwealth's Submerged Lands Code.

Another major amendment is that concerning the declaration of a location, which is a means of setting aside areas in which discoveries have occurred for the purpose of taking up a production licence or retention lease. Under the current legislation, a location can be declared over a petroleum discovery in an exploration permit only if the location contains a block in which an exploratory well has been drilled and from which petroleum has been recovered. This has led to the situation where a discovery which straddles a permit boundary, and for which only one exploratory well has been drilled, cannot be fully developed. This arises because a location can only be declared in the permit in which the exploratory well has been drilled and hence, subsequent production licences or retention leases cannot be granted over the whole discovery. While the problem could be overcome by drilling a second exploratory well in the other permit, this practice may not be justified economically or technically.

A further difficulty with the current legislation is that the size of a location is generally set at nine blocks. In many instances this size is much larger than necessary to cover the discovery, though, on occasions the nine block location has been too small to cover some very large gas discoveries. To overcome these difficulties the Bill amends the current legislation to allow the declaration of a location over any block from which it is satisfied petroleum can be recovered. It also enables the declaration of a location over as many blocks as is necessary to cover the discovery. The Bill also provides for the expansion or reduction of a location area if further information indicates a change in the extent of the petroleum discovery.

A further feature of the Bill is to remove fees and securities from the Acts and relocate them into regulations. This will enable the level of fees to be more readily adjusted to align with current monetary values. It is also proposed that the present 90 per cent refund of the fee on an unsuccessful application be abandoned. The rationale being that the cost of processing an unsuccessful application is just as great as processing the successful bid.

Finally, various amendments to the pipeline licensing procedures have been proposed. There is a need to bring some peripheral facilities, particularly of a minor processing nature, under the definition of a pipeline as circumstances require. This could be achieved by having certain facilities connected to a particular pipeline being declared as part of that pipeline for the purposes of the Petroleum Pipelines Act.

It has also been recognised that a need exists for an adjacent area to be defined specifically for submarine pipelines so that licences may continue to be granted in respect of pipelines pursuant to the Western Australian Petroleum (Submerged Lands) Act. At present it is possible for submarine pipelines in the internal waters area of the State to be licensed under either the Western Australian Petroleum (Submerged Lands) Act or the Petroleum Pipelines Act, depending on whether the area concerned is held under a permit subsisting from the Commonwealth Petroleum (Submerged Lands) Act or a continuation of that title. It is also possible that a single pipeline may need to be licensed under both Acts and that existing pipelines under the Western Australian Petroleum (Submerged Lands) Act may, in the future, need to be converted in whole, or in part, to a pipeline under the Petroleum Pipelines Act depending upon the evolving status of the land.

This is a haphazard situation which can be rectified by bringing the internal waters areas under the provisions of the Western Australian Petroleum (Submerged Lands) Act insofar as pipelines are concerned.

I commend this Bill to the House.

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

PETROLEUM (REGISTRATION FEES) AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr Carr (Minister for Mines), and read a first time.

Second Reading

MR CARR (Geraldton - Minister for Mines) [11.19 am]: I move -

That the Bill be now read a second time.

The details of the amendments contained in this Bill have been explained in the course of the second reading of the Acts Amendment (Petroleum) Bill. I commend this Bill to the House.

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

PETROLEUM (SUBMERGED LANDS) REGISTRATION FEES AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr Carr (Minister for Mines), and read a first time.

Second Reading

MR CARR (Geraldton - Minister for Mines) [11.20 am]: I move -

That the Bill be now read a second time.

The details of the amendments contained in this Bill have been explained in the course of the second reading of the Acts Amendment (Petroleum) Bill 1989. I commend this Bill to the House.

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

LOTTERIES COMMISSION BILL

Introduction and First Reading

Bill introduced, on motion by Mrs Beggs (Minister for Housing), and read a first time.

Second Reading

MRS BEGGS (Whitford - Minister for Housing) [11.21 am]: I move -

That the Bill be now read a second time.

The purpose of this Bill is to provide a legislative basis which is appropriate for the scale and complexity of the Lotteries Commission's current operations and which enhances its capacity to fulfil its role in funding significant community initiatives. The Bill replaces the Lotteries Control Act 1954 and the Lotto Act 1981. In recent years these Acts have proved inadequate in some respects, and were criticised in 1986 in the tenth report of the Standing Committee on Government Agencies. This Bill incorporates many of the changes foreshadowed by that report. The Bill differs significantly from those it replaces in four important areas.

In the area of operating lotteries, Instant Lotteries and Lotto, the Bill makes provisions that will enable the commission to be more flexible in developing and marketing its products. These provisions allow a greater range of prizes to be offered, reduce the time that the commission must hold unclaimed prizes, and allow moneys held as unclaimed prizes to be returned to the prize pool as additional or increased prizes, in line with the rest of Australia. The Bill also prohibits the operation of commercial lottery or Lotto syndicates.

The second area of change introduced by the Bill is an increase in the number of commissioners from four to six. With the dramatic increase in the complexity and scale of the commission's activities, it has become apparent that four commissioners cannot provide the necessary range of expertise in finance, management, computer operations and marketing, as well as maintain a balance of community interests. The additional two appointments will enable that balance to be achieved.

The Lotteries Commission has played an important role in funding community activities since it was created in 1934. In recent years a dramatic increase in turnover has enhanced

that role even further. It has been apparent for some years that the provisions in the current Acts that relate to funding are inflexible, outdated and inequitable. The third area of change in this Bill is to address these concerns. The Bill provides that from the gross sales of all Lotteries Commission products 16 per cent shall be paid to the hospital fund account, two per cent to the sports lottery account, two per cent to the arts lottery account, and five per cent shall be redistributed by the commission to eligible organisations for approved purposes. Eligible organisations are non-Government, non-profit bodies, and approved purposes are those of a charitable or benevolent nature. Local government authorities are eligible for funds in those areas of their activities that are consistent with the approved purposes. The effect of these provisions will be to ensure that current and future commissions are able to respond flexibly to changing priorities in the community. The fact that all the funds for all areas of activity supported by the commission will now be percentage based is far more equitable, and ensures that no area benefits at the cost of another.

In recent years the increased turnover of the commission, together with rising interest rates, has created for the first time a significant investment income. Neither of the previous Acts contained specific provisions as to how this income should be treated. The commission took the very responsible step of consulting with the Government to identify suitable purposes for its use that were consistent with the purposes defined in its Acts. This Bill formalises these arrangements by providing that any surplus income after prizes, distributions and expenses have been met, shall be paid into the Consolidated Revenue Fund and distributed by the Treasurer for the purposes defined in the Bill.

Finally, the Bill removes some anomalies that have existed since some of the commission's powers were transferred to the Gaming Commission. It also strengthens accountability requirements by clarifying the commission's relationship with the Minister. I am confident that this Bill will ensure that the Lotteries Commission is equipped to enable it to continue to make an effective and significant contribution to the Western Australian community. I commend the Bill to the House.

Debate adjourned, on motion by Mr Clarko.

STATE EMPLOYMENT AND SKILLS DEVELOPMENT AUTHORITY BILL

Introduction and First Reading

Bill introduced, on motion by Mr Troy (Minister for Employment and Training), and read a first time.

Second Reading

MR TROY (Swan Hills - Minister for Employment and Training) [11.26 am]: I move -

That the Bill be now read a second time.

The introduction of this Bill is of great significance to all Western Australians; it provides, for the first time, statutory recognition of the fundamental importance of skills development to this State's future economic prosperity.

While skills development has assumed a new status and profile in Australia in recent years, successful overseas countries have created industrial cultures in which a direct relationship is recognised between training, productivity and economic growth. These countries understand that a highly skilled and adaptable work force is a fundamental requirement for developing high value-adding industries that are competitive in the world marketplace. For example, in West Germany in 1986 private industry played a major role in reducing the parallel problems of youth unemployment and emerging skill shortages by providing additional training places for Germany's youth. This was not a social gesture, but a result of major concern that a large segment of the future work force could be lost to German industry. In Singapore employers of unskilled and semiskilled labour pay a skills levy. These funds are used to upgrade the skills level of the whole work force. Over the next two years all retail employees in that country will be required to undertake 192 hours of training to improve their product knowledge and quality of service. This is seen not as a cost, but as a strategic investment which will enable Singapore to maintain its reputation as the shopping centre of South East Asia.

As Western Australia develops increasingly competitive industries, it is absolutely crucial that we understand the important relationship between a highly skilled work force and industry productivity. Through increasing skills levels and productivity we can successfully create an economy based on value-added production and import replacement with expanded opportunities for all Western Australians. This State faces perhaps the greatest challenge in its industrial history. Industry restructuring, combined with national and State wage case decisions focusing on structural efficiency, have placed a spotlight on the State's training system. In Western Australia more than 700 State and Federal awards will be affected by restructuring. As a result of this process, it is estimated that up to 10 per cent of the State's work force - or 70 000 additional workers - will require some form of skills upgrading or retraining over the next three or four years. However, this will not occur unless we have a forum where multiskilling, skills upgrading and accreditation issues can be debated by the industrial partners; where policies are developed to address not only current but also future needs; and where firm action is taken to ensure the development of a training culture within industry. At present no such forum exists and, indeed, the current system is highly fragmented. The priority must be to rationalise our existing training advisory system, creating a structure that gives industry ownership of the policies developed to meet current and future skills needs of this State.

This legislation provides a strategic framework for planning, negotiating and upgrading this State's skills base within a tripartite process involving employers, unions and Government. Tripartite ownership is essential, as the industrial history of this State demonstrates conclusively that no significant initiative in either workplace reorganisation or skills development can be successfully implemented without consensus between these parties.

This Bill establishes the State Employment and Skills Development Authority as the State's peak training body and a Skills Standards and Accreditation Board which, subject to the authority, will act as the quality control on training standards. This Bill also provides for a network of industry employment and training councils.

These mechanisms represent a logical process of reform:

Firstly, a State training forum is created with the primary role of coordinating industry training, accrediting skills formation and setting priorities for the allocation of the State's resources; and

secondly, through an ongoing process of consultation between industry groups and the authority an industry employment and training council network will be established as the cornerstone of industry's involvement in skills development.

The tripartite drafting group has correctly identified that the scope of these industry structures is best determined by the authority and industry itself.

This legislation is the culmination of more than three years' work by employers, unions and the Government. In 1985 the Premier, then Minister for Labour, Productivity and Employment, led the debate in this country on the need for an urgent review of our skills deficits. While deeply concerned about the growing evidence of skills shortages and its coexistence with unemployment, the Premier was also concerned with statements being made in the community about barriers to increasing the productivity of Western Australian industry.

It was clear that there was a lack of recognition within industry and the wider community of the urgency of skills development reform. In order to raise this awareness at the highest levels the Premier dispatched a tripartite overseas mission on productivity and training to western Europe. Members of that commission observed in countries such as West Germany, Sweden and Norway the high levels of cooperation that existed between unions and employers in their determination of industry requirements for skills formation and the labour market. The European experience is characterised by industry's investment in, and commitment to, training and retraining programs.

Members noted, for example, that in West Germany 72 per cent of the work force possessed formal training qualifications; in Sweden, over 90 per cent of young people enter the labour market with vocational skills; while in Western Australia, the percentage of the work force holding post secondary school qualifications is 47 per cent. These figures demonstrate the reasons why such countries have gained a competitive edge in international trade. This

picture is mirrored in Norway, Austria, Japan, Singapore and South Korea. Members of the mission were convinced of the need for a tripartite forum to establish close and long-term working relationships on productivity and skills development issues.

As a result a tripartite interim council on productivity and training was formed to:

- Develop a framework to enhance existing employment forecasting, skills training and retraining systems;
- develop a tripartite approach to labour market policy and planning; and
- examine the possibilities for a tripartite organisation capable of implementing those policies.

The interim council was required to report to the Government on appropriate strategies and administrative arrangements for the achievement of these aims. The council produced a discussion paper which was widely circulated and which attracted responses from individuals, enterprises, unions and employer groups, commenting on the need for reform of the State's training system. The interim council's major recommendation was for the establishment of a State Employment and Skills Development Authority - now known by its acronym SESDA. The Government endorsed this recommendation and in April 1989 approved a tripartite drafting group involving the Trades and Labour Council, The Confederation of Western Australian Industry (Inc) and State and Commonwealth Government officers to prepare legislation for the establishment of the authority and its network.

I turn now to the specific structure of the authority.

The peak body, the State Employment and Skills Development Authority, creates for the first time a single forum for the development of training policy, accreditation and a strategic view of the allocation of resources to skills formation and labour market programs. This authority's members will be appointed by the Minister and will include nominations from The Confederation of Western Australian Industry (Inc), the Trades and Labour Council, and the Commonwealth Minister for Employment, Education and Training. In accordance with the Government's commitment to the principles of equal opportunity, my nominations to the authority, the Skills Standards and Accreditation Board and the industry councils will be consistent with these principles.

Voting arrangements will be tripartite, requiring each of the three elements of members to be in agreement. This establishes a consensus form of decision making and provides an enormous incentive for the industrial partners to actively work towards a shared view of the issues to be addressed. I have indicated to the industry partners that in making their nominations to the authority they also must ensure that these are representative of industry and the community. I will in due course appoint a chairperson whose independence and integrity is acknowledged throughout industry and the community.

An important feature of the Bill is the obligation placed on the authority to submit triennial strategic plans to the Minister for approval. Strategic plans will require employers, unions and Governments to think beyond immediate needs and plan for the future. In addition, the authority will be required to identify priorities for skills development and labour market programs by submitting annual operational plans to the Minister. These will identify the authority's activities for that year.

Priorities for the allocation of the State's resources to programs and services will also be established through these operational plans. Programs subject to funding beyond 12 months and sourced from State revenues are to be examined by SESDA - a demonstration of the philosophy that industry and the community will have a voice in the allocation of resources. While the responsibilities of the Minister of the day are preserved, the Government's commitment to the aims of SESDA is demonstrated by the high degree of operational independence afforded the authority and its agencies. This mechanism of decision making affirms our view of the community's ability to achieve cooperation and constructive reform.

Close links will be established with major delivery agencies and advisory bodies such as the Department of Employment and Training, the Office of Technical and Further Education, the Secondary Education Authority, higher education authorities and the National Training Board. These links will provide an integrated approach to skills formation and labour market policies and services throughout the State and at the national level.

The State's training and labour market agencies will be required to meet the needs and priorities identified by the authority and its industry network. I am pleased to report that my Commonwealth colleague has, in turn, agreed to transfer program funding to the authority and recurrent funding of its existing industry councils to the SESDA industry network.

The authority must establish effective communication with the Secondary Education Authority, skills formation agencies and higher education in order to improve the transition of young people from school to employment. To reinforce this interrelationship between the education sector and the authority's network, I will be consulting my colleague, the Minister for Education (Dr Lawrence), to establish common representation across those sectors.

In compliance with the recommendations of the Burt Commission on Accountability the Minister is empowered to issue instructions to the authority in relation to the performance of any of its functions other than:

- Accreditation of skills formation;
- registration of skills formation agencies; and
- establishment of the industry employment and training council network.

These exclusions ensure that tripartite decision making principles, fundamental to the authority's operation, are preserved. The Government expects a number of positive outcomes from the authority's operational structure. These include -

The smoother introduction of change to facilitate greater productivity in the workplace; equitable access to skills formation for the whole community, including recognised disadvantaged groups; more effective co-ordination between schools, the workplace, and continuing education and training; a co-ordinated approach to skills formation and labour market policy development; and a stronger commitment to skills upgrading and the establishment of a training culture within industry generally.

Industry employment and training councils: There is an urgent need in this State for industry based forums to address skills formation, labour market and productivity issues, and the impact of technological change. The large number of existing Commonwealth and State Government agencies, councils and boards, with overlapping responsibilities, has created unnecessary complexity. The State Employment and Skills Development Authority will replace the present system with a network of industry employment and training councils. These councils will give industry a coherent and integrated voice in policy and program decisions. Industry and award restructuring provide cogent reasons for the councils to be organised on a broader industry basis rather than on their present narrow trade or occupational basis. The creation of approximately 20 industry employment and training councils will provide a workable framework for the development in this State of employment skills formation policy.

Industry employment and training councils will be established as tripartite, separately incorporated bodies, limited by guarantee, and registered by the authority. These councils will be the means by which industry will have direct impact on the authority's decision making processes. The authority and industry will decide, through consultation, the scope of each industry employment and training council. The Trades and Labor Council of WA, the Confederation of Western Australian Industry, and officers of the Department of Employment and Training have begun this consultative process.

The Bill before the House provides for the authority to register any group as an industry employment and training council when satisfied that the objects of the IETC are consistent with this Act; that the rules of the council provide for tripartite membership and voting arrangements; and that the chair of the council is to be an employer or union nominee. Each industry employment and training council will identify, in practice, the current and future skills formation and labour market requirements for its industry. Councils will be charged with coordinating programs and services within the industry and advising the authority and the Minister of the industry's needs. Industry employment and training councils will formulate and submit skills formation to the Skills Standards and Accreditation Board for accreditation. Councils will promote equality of opportunity in all these activities.

Operational plans: The authority may establish criteria for the registration of an industry employment and training council, which include the submission of an operational plan to the

authority and an annual report on the achievement of the objectives of that plan. These mechanisms will provide councils with a high degree of autonomy in administering their industry's skills formation and labour market activities. In summary, these councils will-

Develop and promote skills formation and labour market policies, programs and services; develop and promote equal access to skills formation and labour market programs for all persons in the community, including migrants, Aborigines, the long term unemployed, people with disabilities, and women; and provide advice to the State and Commonwealth Governments, and the authority, on the skills formation and labour market needs of that industry.

Skills Standards and Accreditation Board: Western Australia is a State rich in natural resources. However, we must not lose sight of the fact that people are our most valuable resource. This Bill should be seen as part of a continuing effort to increase the potential of that resource. The present system of skills accreditation has grown to more than 130 official training advisory boards, and no longer provides the people of Western Australia with an efficient accreditation service. Our challenge now is to create more entry points and career paths for all of the State's work force. Investment by employers and workers in a more effective training system will bring mutually beneficial returns through increased productivity, and improved job satisfaction and job security.

A tripartite Skills Standards and Accreditation Board is to be appointed to provide coordinated quality control of skills standards within and across industry. The board's major tasks are to -

Accredit skills formation programs; determine and monitor the standards of competence required under such programs; accredit and certify the skills and qualifications of individuals, whether obtained interstate, overseas, in the work place, or by practical experience; and register private training providers to offer particular skills formation programs and courses accredited under this Act.

The board will bring together the previously separate State accreditation roles of the Industrial Training Advisory Council and its boards, the Western Australian Council on Tertiary Awards and the TAFE course advisory committees.

The board will at all times be an agency of the authority. Its members will be appointed by the authority, on the nomination of the industry partners; and its chair will be an appointee of the authority. In making the Government's nominations, I will include representation from the education, trade and skills training sectors. The board will evaluate skills formation programs submitted for accreditation, using criteria which ensure portability of skills across industries; recognise career paths within occupations; and increase the opportunity for participation in skills development. This is of major importance in Western Australia, where the occupational segmentation of our labour market has contributed to existing skill shortages. With a participation rate for women of 52.8 per cent, there are clear productivity gains to industry and the community by enabling women and, indeed, all groups within our community to have access to a broader range of occupations.

Skills formation agencies: The combination of award and industry restructuring and reduced segmentation of work force skills will significantly raise the demand for accredited training and retraining. At present, very little accredited training occurs outside the TAFE system. Forecasts of up to 10 per cent of the State's work force being involved in training at any one time provide considerable scope for the private sector to increase its investment in training. This Bill provides for accredited training to be provided by workplace or industry based skills formation agencies in addition to the traditional providers such as TAFE and the independent colleges. These agencies will be registered by the authority to provide a training course or module of an accredited skills formation program. The Bill will also bind the Crown in this regard. TAFE and all other providers of accredited skills formation will be required to register as a skills formation agency prior to delivering accredited training. There is no obligation on any organisation to register or accredit its own in-house training.

The system of registered skills formation agencies increases the opportunity for the private sector to be involved in the provision of accredited training. With labour market forecasts indicating that 80 per cent of our current work force will still be working in the year 2000, we must set in place now the necessary mechanisms to ensure that we can meet the training

and retraining requirements of our community. The formal recognition of industry's role in the provision of accredited training furthers this Government's objective of ensuring industry's increased investment and participation in the State's training system.

Conclusion: The Bill establishing the State Employment and Skills Development Authority heralds very significant and positive changes for this State's industrial and economic climate. The authority and its agencies will forge the vital link between employment creation initiatives and effective skills formation programs, creating the catalyst for improved workplace productivity and expanded employment opportunities. The innovative tripartite structure that I have described will create, for the first time, a single State forum to simultaneously address skills development and employment. This mechanism for collaborative decision making will effect positive changes in labour relations generally. By utilising the formal communication links established between SESDA, the education sector and industry, we will be in a powerful position to address the time lag that is evident between industry skill needs and investment in education and training.

This emphasis on the link between employment creation and skills formation has already created a positive climate for growth in Western Australia, with impressive results since 1983, including -

the most consistent employment growth in Australia - 32.5 per cent as at August 1989;

a dramatic fall in youth unemployment from 31.6 per cent to 12.5 per cent; and

a high overall participation rate - recorded at 65.5 per cent in August of this year - consistently the highest percentage of all States.

Notwithstanding these achievements, we cannot afford to be complacent. Reform within the State's industrial training system has also been to the fore. The development of competency-based trade training testing under the new apprenticeship training assessment system - NATAS - and the introduction of the traineeship system in this State result from the significant contribution made by the Industrial Training Advisory Council and its boards.

In continuing this record of reform, credit must go to the members of the overseas mission on productivity and training for their consensus approach to issues of common concern. The recommendations made by the mission paved the way for the establishment of the authority. I pay particular tribute to the late Michael Cross. His belief in the process of tripartite decision making and his vision and energy contributed enormously to this legislation. Members from both sides of this Parliament participated in the overseas mission and its success was largely based on the ability of its members to transcend industrial and political barriers. This has set the tone for the working relationships that underpin the tripartite system of SESDA. Equal praise must be bestowed on the tripartite drafting party which prepared this legislation and its commitment to the complex and time-consuming work involved.

I commend the legislation to this House in the firm belief that it is a major step forward in advancing the economy and social wellbeing of all Western Australians.

Government members: Hear, hear!

Debate adjourned, on motion by Mr Kierath.

MARKETING OF POTATOES AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr Bridge (Minister for Agriculture), and read a first time.

Second Reading

MR BRIDGE (Kimberley - Minister for Agriculture) [11.52 am]: I move -

That the Bill be now read a second time.

The Western Australian Potato Marketing Authority is required by section 66 of the Financial Administration and Audit Act to prepare an annual report on a financial year ending on 30 June, unless a separate Statute provides otherwise. Since the Financial Administration and Audit Act was applied to the authority, two annual reports - in 1986-87

and 1987-88 - have been submitted for audit. On both occasions the authority has followed its traditional practice of making its financial year correspond with the activities of its industry. For this purpose the financial year has been terminated on 30 September, contrary to the Act. This is because the potato growing season and consequent pooling arrangements operate from October to September each year. The start of the season is based on the delivery of the new season's potatoes, which are not regularly available until October.

Given the nature of the industry's arrangements, it is sensible and desirable that the authority's financial year not be 30 June. To allow the authority to report on a financial year different from one ending on 30 June, it is necessary for the Marketing of Potatoes Act to be amended. The Bill serves this purpose and no other. It provides that the financial year of the authority shall end on 30 September by a simple amendment to section 37 of the Marketing of Potatoes Act.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Omodei.

BILLS (2) - INTRODUCTION AND FIRST READING

1. Conservation and Land Management Amendment Bill

Bill introduced, on motion by Mr Taylor (Minister for Conservation and Land Management), and read a first time.

2. Data Protection Bill

Bill introduced, on motion by Mr MacKinnon (Leader of the Opposition) on behalf of Mr Hassell, and read a first time.

COAL MINES REGULATION AMENDMENT BILL

Second Reading

MR CARR (Geraldton - Minister for Mines) [11.57 am]: I move -

That the Bill be now read a second time.

This Bill proposes an amendment to the Coal Mines Regulation Act with the main proposals being -

to introduce an open cut oriented coal mining qualification at a comparable level to the underground second class mine manager's certificate of competency;

to provide for the rationalisation of practical experience requirements for candidates for open cut mine managers' certificates of competency enabling experience gained in metalliferous open cut mines or quarries to be recognised as part of the candidates' acceptable total practical experience.

Currently the Act does not recognise any open cut undermanagers' qualifications which will parallel the second class certificate of competency which is an underground qualification. The amendment will enable persons whose experience has been gained in open cut mines to qualify as open cut mine undermanagers by achieving a specialised certificate of competency.

This amendment will permit persons holding certificates of competency of an equivalent level to obtain a Western Australian certificate of competency by sitting for and passing an examination in Western Australian mining law. It will also meet the needs of the companies and of the Department of Mines in ensuring that the requirements of the Coal Mines Regulation Act are met by satisfactory supervision at open cut workings on various shifts where numbers of deputies are employed and where it is imperative for undermanagers to be appointed.

The proposed amendments will rectify an anomaly in the statutory structure of the coal mining industry and I commend the Bill to the House.

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

MINING AMENDMENT BILL (No 2)

Second Reading

MR CARR (Geraldton - Minister for Mines) [11.59 am]: I move -

That the Bill be now read a second time.

This Bill proposes a number of amendments to the Mining Act with the main proposals being -

the implementation of Government policy in respect to mining and exploration in national parks and nature reserves;

a graticular system to describe boundaries for exploration licences; and

a new provision to provide a substantive power relating to the verification of royalties payable.

Currently the Act allows exploration to be carried out on national parks and A Class nature reserves with the consent of the Minister for Mines and the Minister responsible for the park or reserve. A mining lease or general purpose lease, however, may be granted only with the consent of both Houses of Parliament.

Following the recommendations of the committee on Mining and Exploration in National Parks and A Class Nature Reserves, chaired by Dr John Bailey, the Government has accepted that a stricter code of conduct is required on exploration and mining in these classes of land. The proposed amendments exclude the grant of exploration licences within a national park or A Class nature reserve unless that park or reserve or portion thereof has been declared open for exploration by resolution of both Houses of Parliament. It is envisaged that, prior to any national park or A Class nature reserve being declared open for exploration or mining, detailed environmental and geological studies and assessments will be required. In this way Parliament will be in a position to determine whether or not development should take place, and if so under what terms and conditions.

A permit to conduct non-destructive research surveys to acquire geoscientific information within such parks or reserves without holding a mining tenement may be issued by the Minister for Mines after obtaining the consent of the Minister responsible for the park or reserve. The data arising from such surveys would determine whether there is a need for a mining tenement application and subsequent consideration for the park or reserve being opened for further exploration, and should also enable better management of conservation reserves, as well as adding to the State's knowledge of its overall resources.

Provision has also been included to extend the current provisions in the Mining Act which provide that the Minister may vary or impose additional environmental conditions on leases at any time to exploration licences and prospecting licences. Exploration and mining is always subject to ongoing assessment and inspection and such provisions of varying or imposing additional conditions are necessary to ensure the maximum environmental protection allowable should circumstances change. Furthermore, penalties for unauthorised mining have been substantially increased as a deterrent to those who may contemplate mining without the proper authority. All other monetary penalties relating to breach of tenement covenants or conditions and various offences have also been substantially increased to act as a deterrent and to provide a meaningful alternative to forfeiture of a tenement where that is provided for.

The proposal for exploration licences to be determined by graticular sections is the result of recommendations of a departmental working group and the mining industry liaison committee and has the support of the Chamber of Mines and Energy of Western Australia Inc, the Association of Mining and Exploration Companies Inc, and the Amalgamated Prospectors and Leaseholders Association Inc. Basically the proposal is for exploration licences to have boundaries defined by lines of predetermined latitudes and longitudes, one minute by one minute, and to comprise units of graticular sections, each having an identification number, rather than units of contained area as currently provided for. The proposal is modelled on the principles adopted by the petroleum Acts but with modifications to suit the mineral industry and the Mining Act. It is uniquely suitable for defining large parcels of land which have tenure of short term nature and boundaries which will not normally require marking out on the ground, but will be able to be represented on a map with correlation on the ground to acceptable accuracy being achievable should the need arise.

In respect of the verification of royalties payable, a new provision is being introduced to enable the Minister for Mines to make an estimate of royalty where royalty is not paid or properly assessed or calculated, and to accept audit certificates as verifying royalty. It also allows for the production and inspection of records and includes offences and penalties for persons failing to supply the information required to enable assessment of royalties. These strengthen existing provisions in the Mining Act Regulations which have proved inadequate as a basis to ensure fair royalty collection.

The remaining amendments are of a minor nature only and seek either to clarify existing provisions or to streamline procedures in the general administration of the Act. One of these amendments that should, however, be highlighted is the amendment to the Mining Act's definition of private land to specifically exclude special leases issued under the Land Act for the purpose of "use and benefit of the Aboriginal inhabitants". Special leases for this purpose have since January 1987 been defined in the Mining Act as Crown land for the purposes of that Act. It has always been the Government's intention that these leases retain Crown land status and this latest amendment reflects that intention.

Finally, it is intended to repeal remaining unproclaimed sections 88 and 90 of the Mining Amendment Act 1985. These two sections were originally drafted to introduce a system of provisional lodgment of dealings, and to separate the provisions of existing section 119 of the Mining Act into two distinct parts - one defining dealings which required registration, and the other stipulating the need for ministerial approval to transactions conferring beneficial interest upon a country. Section 88, as passed, proved on later examination to be too all-encompassing and administratively undesirable; section 90 was required only if section 88 was proclaimed as it is linked to that section. A subsequent amendment was made to the Mining Act to introduce section 103A to provide for provisional lodgment of dealings and, together with current section 119 which is a combination of sections 88 and 90, has proved adequate.

I commend the Bill to the House.

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

HERITAGE ENHANCEMENT AND PRESERVATION BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr MacKinnon (Leader of the Opposition), read a first time.

JUSTICES AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr D.L. Smith (Minister for Justice), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR D.L. SMITH (Mitchell - Minister for Justice) [12.08 pm]: I move -

That the Bill be now read a second time.

[Leave granted for the following text to be incorporated.]

This Bill is almost identical to the Justices Amendment Bill (No 2) 1988 which was introduced in this House on 26 October 1988. That Bill was held over to permit professional and public comment and, as a result, several minor amendments have now been incorporated. The Bill implements reforms in two important areas. The first involves appeals under the Justices Act from convictions for summary offences and other decisions of justices of the peace and magistrates. The second involves restraining orders under the Justices Act which people may seek for their protection when faced with problems of domestic violence or the threat of violence.

The Bill is part of the Government's continuing efforts to improve the ability of the courts to deal with cases expeditiously and to ensure that the justice system can properly respond to

the needs of litigants. It reflects the Government's commitment to make our laws more intelligible and legal procedures more efficient. The amendments dealing with appeals are based on the Western Australian Law Reform Commission's report "Review of the Justices Act 1902 (Part I: Appeals)".

Currently there are two avenues of appeal under the Justices Act; namely, an ordinary appeal as of right, and an appeal by way of an order to review. These procedures developed along separate lines, largely as a result of historical accident. Appeals by way of an order to review are now the most common. The Law Reform Commission concluded that there was no reason to retain two modes of appeal and recommended a single, simplified appeal procedure based largely on the appeal by way of order to review. The Bill substantially implements the commission's recommendations.

An appeal from decisions of justices or magistrates will now be by leave of the Supreme Court. The grounds of appeal are essentially the same as under existing law. However, a new general ground is provided allowing leave to appeal to be granted whenever there is a sufficient reason to justify a review of the decision. This will ensure that no appeal will fail merely because it does not meet the technical requirements of the other grounds of appeal. An important change made by this Bill is the creation of a further right to appeal by leave from the decision of a single Supreme Court judge to the Full Supreme Court. Although most appeals should continue to be finally disposed of by a single judge, there will no doubt be circumstances which warrant further consideration by the Full Court.

Many provisions in the Bill streamline the present appeal by way of order to review and modernise the language of the Justices Act. A number of important changes to existing procedures are also made and certain practices which have developed are given a legislative basis. One example of a relatively small change that will have a considerable impact on the cost and efficiency of appeal procedures is proposed new section 185(3). That will allow one application for leave to appeal to be made in respect of two or more decisions given at the same hearing. Currently, there is no such provision in the Justices Act and the courts have ruled that the Act requires separate applications. When a complaint charges 10, or 20, or 50 offences, a not uncommon event - for example, in relation to prosecutions under the Social Security Act - significant savings in time and cost will be achieved by this new section.

Another amendment which will reduce documentation and save time and expense is the elimination of recognisances in relation to the appeal. Currently an appellant must enter into a recognisance by which he gives security and binds himself to prosecute the appeal without delay, and to pay such costs of the appeal as the court may award. It is now generally considered that the recognisance serves no useful purpose and has become a mere formality because the amount of the recognisance is normally set quite low. Any delay in prosecuting an appeal can be dealt with under the provisions which allow a party to the appeal or the Attorney General to apply to a judge of the Supreme Court for an order dismissing the appeal for want of prosecution.

A third amendment relates to the discontinuance of an appeal. Although in practice appeals are sometimes abandoned by filing a Notice of Discontinuance, the Justices Act contains no provision enabling an appellant to formally abandon an appeal. The new section 204 proposed by this Bill provides that an appellant may at any time discontinue an appeal by giving notice to the court and serving copies on other parties to the appeal and the Clerk of Petty Sessions. The Bill also empowers the court to make such orders as to costs as it thinks fit and to issue any warrant that may be necessary as a result of the discontinuance. The Bill also includes new provisions which allow an unrepresented defendant to present his case in writing instead of by oral argument and to be present in court at the hearing of the appeal. This will eliminate the need for special orders to be made to enable an unrepresented person to attend the hearing.

The Bill includes several provisions designed to improve the administrative procedures associated with appeals. For example, the Justices Act has no provision requiring the Clerk of Petty Sessions to retain custody of exhibits after the justice's or magistrate's decision and pending an application for leave to appeal to the Supreme Court. The Bill now sets out in proposed new section 206B the obligations of Courts of Petty Sessions with respect to exhibits and in the proposed new section 148 the right of parties to view exhibits that cannot

reasonably be copied. In addition, the Bill resolves uncertainties in the interpretation of the provisions in the existing section 148, which deals with a party's rights to obtain copies of various materials relating to proceedings before justices. The proposed new section 148 refers to and defines the "record of proceedings" and sets out expressly the position in respect of the justice's or magistrate's notes. The section makes clear that a person is not entitled to demand a copy of notes taken by a justice or a magistrate for the justice's or magistrate's own purposes. However, if a justice or magistrate has maintained by hand the record of the evidence, parties are entitled to have a copy of those notes.

The Bill deletes provisions in the Justices Act relating to the release on bail of persons held in custody pending an appeal. This is consistent with the policy that the Bail Act should govern all bail decisions. Consequential orders to the Bail Act have been made to reflect the new appeal procedure. The Bill also deletes many of the detailed procedural provisions in the Justices Act; for example, those relating to time limits for service of documents and prescribed forms. These will now be dealt with in rules of the Supreme Court which may be more readily amended should the need for change arise. These changes will simplify procedure, reduce costs and documentation, and provide a clearer legislative statement of the rights of the parties and the responsibilities of the courts and officers involved in appeals.

The second major area of reform is the restraining orders procedure under section 172 of the Justices Act 1902. The Bill deals with five matters affecting restraining orders. First, police will be empowered to "serve" a restraining order verbally upon a defendant, if service has not been effected within 14 days or other period fixed by the magistrate. The police officer must inform the defendant of the restraints imposed upon him by the order, advise him where a copy of the order may be inspected and file an affidavit of service. Although this is a somewhat novel way to serve a court order, it is intended to provide a means of overcoming the problem of defendants who avoid restraining orders by evading service. However, it is not intended that verbal service should become the usual mode of service. The amendments ensure that verbal service may be used only after reasonable efforts have been made to serve the order on the defendant personally.

Secondly, the Bill empowers justices to receive hearsay evidence from a police officer where they are satisfied that it is just and expedient to do so. This is intended to overcome the difficulty in obtaining urgent restraining orders in country areas not served by a resident justice or magistrate by permitting police to send their information to police at the nearest town where a magistrate or justice resides.

The third amendment addresses concerns that persons may, by a restraining order, sometimes be excluded from their homes without notice and without a chance to collect their belongings. A new provision directs justices to consider the need for suitable arrangements to be made to allow defendants to collect their belongings from the premises. However, the decision to frame an order in these terms remains in the discretion of the justices.

The fourth amendment allows an application to be made for a restraining order on behalf of a child or incapable person. Currently, only adults of full capacity may make applications.

Finally, justices dealing with criminal offences are empowered to impose a restraining order on any person who appears in the proceedings, whether as a defendant, complainant or witness. This will allow justices to deal with the situation where, for example, assault charges arise out of a feud between neighbours where the defendant is either not the original or sole instigator of the problem. This power is equivalent to that available to justices in the United Kingdom.

The important measures contained in this Bill will contribute to the more efficient administration of justice in this State. I commend the Bill to the House.

Debate adjourned, on motion by Mr Hassell.

STAMP AMENDMENT BILL (No 4)

Council's Requested Amendments

Amendments requested by the Council now considered.

Committee

The Deputy Chairman of Committees (Dr Gallop) in the Chair; Mr Parker (Treasurer) in charge of the Bill.

The amendments requested by the Council were as follows -

No 1

Clause 2,

Page 2, after line 9 - To insert the following subclause -

(4) Section 4(4) shall come into operation, or be deemed to have come into operation, on the day on which section 30 of the *Stamp Amendment Act (No 3) 1989* comes into operation or is deemed to have come into operation.

No 2

Clause 4,

Page 3, line 17 - To delete "0.04" and substitute the following -

0.40

No 3

Clause 4,

Page 3, after line 60 - To insert the following subclause -

(4) The Second Schedule to the principal Act is amended in clause 16 -

(a) in subclause (1) (a) and (c), by deleting "amount of the premium" and substituting, in each case, the following -

"... amount calculated under section 96 (2)";

and

(b) in subclause (3) (a), by deleting "5% of the premium or 5% of the premium for the first year" and substituting the following -

" 5% of the amount calculated under section 96 (2) or 5% of the amount so calculated in respect of the first year".

Mr PARKER: I move -

That amendment No 1 requested by the Council be made.

Three amendments are contained in Legislative Council message No 31. Two of the amendments relate to the same thing: namely, the Government's commitment to remove what the insurance industry has described as a duty on duty. That is, as matters have been defined the insurance companies must pay a duty on premiums, and when the premium is transferred more duty is levied on it. As a result of the way in which this occurs, the first duty forms part of the total consideration on which the second duty is assessed. Therefore in effect there is a compounding impact of duty. This has been complained about for some time, and this amendment, together with the other amendments to the Stamp Amendment Bill (No 3), will remove that problem. That is widely welcomed by the insurance industry and by people who pay insurance premiums. As the operative clause in relation to the amendment on stamp assessment is within the Stamp Amendment Bill (No 3), it must be made clear that this will come into operation on the same day as the other. This applies also to the third amendment I will move, which relates more directly to the same issue. The second amendment is to correct a typographical error in the Bill passed a few weeks ago.

Mr MacKINNON: The Opposition intends to support this amendment; however, I have a couple of comments to make about it.

It is ridiculous that the first time this Bill is debated in this place to any extent - because we had no time to debate the issue previously - it is to move an amendment to the legislation. Members will recall that when this matter first came here there was no debate on it at all because the Government wanted to rush the matter through. The Leader of the House subsequently gave a commitment, which he failed to honour, that a one hour debate would take place on the legislation the following Tuesday. This turned out to be the following

Thursday, but because somebody accused the Leader of the House of sulking, we did not have any debate on the legislation at all.

These are important amendments and have our support. However, if one looks at the Notice Paper, one finds the amendments are almost as long as the Bill itself. One of these amendments corrects a significant error which would have been picked up in this place had we had an opportunity to debate the legislation at that time. That is the second amendment to which the Treasurer referred, relating to stamp duty. As it is presently printed, the legislation provides for a duty of 4¢ instead of 40¢. The Opposition in fact could be tempted to vote in favour of the 4¢ duty rather than the 40¢ because it would be better from the point of view of the community. However, the Government placed itself in this position because of its arrogance and the petulance of the Leader of the House. This shows why it is important we go through the proper forms in this Parliament when debating matters. Had the Legislative Council not been doing its job properly, the Bill would have come back here in its totality rather than these amendments. This is a lesson the Government should learn in respect of how to handle legislation.

The Treasurer referred to another important aspect of the legislation, which is the proposed amendment relating to the insurance industry. I draw the attention of members to comments made by the Minister for Budget Management when he was asked whether he had distributed this legislation to anyone for comment. The Minister for Budget Management's answer was that he had distributed it to the Law Society and to the Australian Society of Accountants but to nobody else. The fishing industry, for example, has major concerns about this legislation, but it was not consulted.

Mr Gordon Hill: That has been rectified.

Mr MacKINNON: Only after we notified it. This legislation refers to the rate to be charged as a result of amendments to the Stamp Amendment Bill (No 3). The farming community was not consulted at all and yet areas of this legislation have the potential to impact in a major way upon farmers. In respect of the mining industry, there are massive changes in the Stamp Amendment Bill (No 3) in relation to chattels - that Bill increases the rates - but the industry was not even provided with a copy of the legislation by the Government. The Opposition provided the mining industry with a copy of the legislation; the Government did not consult with the mining industry at all. The Government tried to sneak this legislation through; it tried to rip it through the Parliament quickly and did not tell anybody about it.

Mr Pearce: That is not true. We held it off at your request.

Mr MacKINNON: Why did the Government not write to those groups to tell them what it was doing? Why did they first hear about it from the Opposition? The Leader of the House would not allow one minute's debate on the legislation in this place. The Leader of the House sulked the other day when he promised an hour and gave us no time because one of our colleagues had the temerity to tell him the truth. The Leader of the House could not take that. He is just like Paul Keating - he can hand it out but he cannot take it. He is the biggest coward in this place.

Did the Government consult professionals outside the accountancy law area? Did it consult the surveyors, the architects, the medical profession and the small business community, upon whom this will probably have more impact than any other group? I would have thought that with a piece of legislation which makes significant changes to stamp duty relating to property transfers and chattels in particular, the Government would have consulted with the real estate industry. Did the Government consult the Real Estate Institute of Western Australia? Did the Government consult the Building Owners and Managers Association of Australia Ltd, the property development people? The Government did not consult even the housing industry. We are discussing amendments to legislation related to the insurance industry. The Opposition in fact had to tell the insurance industry about this legislation; subsequently it then made representations to have amendments made. That highlights exactly what I am talking about. This Government tried surreptitiously and deceitfully to bring major changes to this legislation to this Parliament, without telling anyone in the community, and particularly without telling people who have a vested interest in the legislation. That contrasts markedly with a letter the Minister for Budget Management sent out on 12 October, which reads in part as follows -

The State Government proposes to conduct a review of the Stamp Duty Act, in respect of both the imposition of duty and the administration of its collection.

I am writing to invite any submission or comment which your organisation would like to have taken into account by the review.

The letter was sent to the fishing industry, farmers, miners, charities, professionals, small business, the Real Estate Institute of Western Australia, and the Building Owners and Managers Association; that is, all the people which the Government failed to consult earlier. They now have the opportunity to make submissions on the review of the Stamp Act. I make the same remark here as I made on Stamp Amendment Bill (No 3): The door has been shut after the horse has bolted; and the horse has run out of steam halfway down the track and had a heart attack. That is how effective the Government review will be.

The Minister for Budget Management has stated that the review has to be revenue neutral. So it is a Clayton's review, because it means absolutely nothing. The major changes in the imposition of tax have already been made. This Bill and the amendments relating thereto endorse wholeheartedly the review. This is not what Parliament is all about. When significant changes are to be made to legislation, proper consultation should take place with the people who will be affected. As I have said, no consultation has taken place, although I understand the Government is negotiating with the mining industry; and the Opposition will meet with the Law Society to discuss its concerns which have been allayed in some small way, although we are not aware how. Therefore, the action taken by the Opposition in another place to hold up the passage of legislation is clearly appropriate. The Opposition is undertaking the job of the Government; it is consulting with the interested parties. The Government did not consult those people prior to attempting to push through this Bill in a desperate attempt to get revenue which it desperately needs.

The Bill makes massive changes to the imposition of stamp duty rates. The Opposition has prepared a chart which indicates that stamp tax revenue has increased dramatically in almost every year since the Government came to power.

Mr Pearce: That is the revenue, not the rate. The Leader of the Opposition is pulling the old trick of abrogating the revenue.

Mr MacKINNON: I thank the Leader of the House; I was coming to that point.

The Government always claims that it is the level of economic activity which has caused the revenue increase. This year the prediction is that the revenue might go down - so the rates go up! So much for that argument. The Government is predicting a drop in revenue, but it cannot possibly allow that to occur, so it rams up the rates. The justification for that in the Minister's second reading speech is that, because that happens in every other State of Australia, Western Australia's rates should go up as well. That is no argument at all. We should not do things in Western Australia simply because they might be done in New South Wales, Queensland, South Australia or anywhere else, irrespective of a Government's political colour. The Government should take action because it is the right action, not because other people are acting in a certain way.

The taxing measures contained in this legislation represent the Government's total ignorance of the need for consultation with interested parties. It indicates the Government's total inability to understand that the business community in particular is fed up with the imposition of stamp duty; it indicates the Government's total ignorance of the significant impact the increased rates in this Bill and those related to Stamp Amendment Bill (No 3) will have on the community.

The Stamp Amendment Bill (No 3) will be debated at length in the Legislative Council as that House has taken a course far different from that which has been followed in this place. In the other place, proper contributions have been made - by members of the Opposition - highlighting a broad range of areas of concern including those of the fishing industry, an industry whose members have grave concerns about this measure, to which some changes will need to be made to accommodate their concerns.

I hope that both the Treasurer and the Leader of the House have seen the error of their ways regarding the Bill. Perhaps in future they will make sure that when complex legislation of this nature comes to Parliament the people entitled to be consulted will be consulted and are given some prior notice about what is about to occur. It is not good enough for the Minister

to say, "We have brought it in, and the Opposition has had two weeks to consider it." Members of the business community - whether farmers, accountants, lawyers or fishermen - have to make a living; they have to go out every day and work. When they come home at night they have an opportunity as a group to consider the legislation and make comments. That does not happen overnight. The Minister could never understand that; he has never had to go out and make a living as a self-employed person and then attempt to make a contribution to legislation.

Mr Pearce: A lot of people who are not self-employed do work for a living.

Mr MacKINNON: I said that the Leader of the House does not understand the nature of self-employed people, as opposed to people who are professionals and employed by others - people who have the responsibility to make a contribution to their industry. No recognition has been made of that contribution. The Government should acknowledge the need for a proper consultation.

This is an arrogant Government attempting to ride roughshod over Parliament by pushing this legislation through; it is a desperate attempt to grab the revenue which hangs on the legislation. I assure the Government that the Opposition will not put up with that nonsense. In this House the Government will succeed because it has the numbers; however, we will ensure that at least in the Legislative Council proper debate will ensue. The Treasurer and the Leader of the House would do the Government a service if they slowed down and allowed proper debate in this place. These problems could have been sorted out earlier, and time and effort could have been saved thus allowing the Bill to come into effect on 1 November. Because the Government has shown its arrogance and insensitivity this delay has occurred. The fault lies at the feet of the Treasurer.

Mr LEWIS: It is necessary to highlight to the Committee, indeed to the Press, that the Opposition has been soundly criticised unfairly on many occasions when, with inadequate resources, the Opposition has endeavoured to research very complex legislation within only two or three weeks. On this occasion, with all the resources it has at its own disposal the Government is trying to force legislation through - albeit by an agreement which was forced on the Opposition.

Several members interjected.

Mr LEWIS: The Government is trying to facilitate a taxing legislation in a week which will impact on all Western Australians. The Government had the temerity to say that we have to facilitate the passage of legislation through this House because it should be passed through the Legislative Council during the following week.

Mr Pearce: We did not. You asked to delay debate.

Mr LEWIS: The Government has had a whole year to do this. It has had more than 250 days during which this Parliament has not sat to prepare legislation and bring it to this Parliament for consideration. This should be done so it can be considered over time by the small business community, householders, people buying blocks of land and homes, and so that all others in the community can have the opportunity of considering the ramifications of this legislation. That was not the Government's desire at all; its desire was to bring the Bill to the Parliament and try to push it through as expeditiously as possible so that by 1 November these additional taxing measures would be in place.

Mr MacKinnon: It was rammed through by the Treasurer just as he did with Paragon.

Mr Parker: Oh, nonsense!

Mr LEWIS: That is right. That is the truth of the situation with this legislation. We in the Opposition are sick of being criticised for making the odd slip every now and again because we do not have the resources for research at our fingertips to discover the ramifications of legislation when it comes to Parliament; yet, we have a Government with vast resources which comes into the Parliament, pushes through legislation, and cannot get a fundamental aspect of the Bill right - it mixed up its numbers and this legislation will raise less money than is the situation with the current Statute.

Mr Pearce: The Minister does not have to move an amendment because it was a typographical error.

Mr LEWIS: It was not a typographical error, and if it had been debated in due time and with due notice, it would not have been passed.

Point of Order

Mr PARKER: I did not raise this issue with the Leader of the Opposition because I know that there was some frustration in the way the debate proceeded previously and I thought there was some merit in letting that view be expressed; therefore, I did not seek to draw the Deputy Chairman's attention to the fact that the Leader of the Opposition did not contain himself to the matter before the Chair. However, I do draw attention to the fact that the member for Applecross is addressing himself to another amendment on the Notice Paper which has not been moved yet. Now that we have had expressions of concern from the Opposition, I ask that the debate be confined to the matter before the Committee, and that the member for Applecross wait until we get on to the second amendment before addressing the issue of the 4¢ or the 40¢.

The DEPUTY CHAIRMAN (Dr Gallop): The Treasurer has raised a relevant point in that the member for Applecross did not specifically address the matter on hand; nevertheless, given the circumstances of what occurred with this debate, some degree of leniency is justified - certainly I applied that in the case of the Leader of the Opposition's speech. But, as we move on in this debate it would be preferable if we focused on the amendment at hand and made a few general points, and focused on the specific issue, otherwise we would have a wide ranging second reading debate situation. As the member for Applecross knows, that prospect is not something that would attract me at all.

Committee Resumed

Mr LEWIS: I accept what you say, Mr Deputy Chairman, as you have rightly pointed out the unfortunate circumstances which led to this debate. Perhaps it shows some of the frustration on this side of the Parliament that we have not hitherto had the opportunity to make the points we are now making.

I turn to the amendment for the inclusion of subsection 4, which relates to the insurance industry. The point can be well and truly made that the insurance industry - like other industries - was not consulted in any way about this legislation. The Friday before the Bill was to be debated in Parliament the Minister for Budget Management quickly sent out a circular letter, which I believe was not individually addressed, asking for comment. The time had long gone when people had the opportunity to evaluate the ramifications of the legislation. The legislation was rammed through this House and went on to the Legislative Council.

I suggest that the Government should learn a very good lesson from this for the benefit of industry and all Western Australians. As a matter of courtesy to the members of this House, the Government, with all its available resources, should have the responsibility and desire to allow Parliament to be fully briefed on all legislation. I am sorry that that did not apply in this case because the whole process of pushing this legislation through was revenue driven, and certainly was not driven on the basis of informing the wider community and the Parliament of what was to take place. As we move through the Committee stage I will raise other matters. I commend the amendment to the House.

Mr WIESE: This my first opportunity, and that of any other member, to speak on the Stamp Amendment Bill (No 4). I commented in the House nearly two weeks ago on the way this Bill was handled when both the Stamp Amendment Bill (No 3) and this Bill went through this House. I reiterate the remarks I made then because they have proved to be prophetic. The manner in which the Government rammed the legislation through the House has caused the Government to come unstuck. The Government should respect the procedures to be followed when handling any matter that comes before the Parliament, and specifically with matters such as this which affect all sections of the community. All sections of the community need time to consider the legislation and see what the ramifications are before the legislation is put before the House. Once that is done, the Bill should be debated fully in the Parliament. That did not happen on this occasion and we are witnessing the result of it today. The Government bungled, made mistakes and now will have to correct those mistakes. This becomes even worse when one realises in hindsight - certainly nobody in the House was aware when the Bill was passed - that amendments would be moved. The

Minister for Budget Management made frank admissions as to the fact when speaking about it in the other place. He referred to the fact that amendments would be put through while the debate was taking place in this House.

We all know now what happened; the Bill was not debated in this Chamber, as a result of which it must now be debated in both the other House and this place. A point which has already been made and which I believe should be reiterated by a member of the National Party - my thoughts on what happened the other day were made very clear - is that the community was not consulted in the preparation of this Bill. Major sections of the community such as fishing, mining, agriculture, real estate and small business were unaware of the Bill at the time we were debating it. The Minister for Budget Management has admitted during the debate in the other place that due to an oversight the only organisations that were sent copies of this Bill were the Law Society and the Society of Accountants. All other groups were unaware of the Bill at the time we were debating it. That is absolutely disgraceful. It is something which the Government alone has to wear.

I note again that the insurance industry is basically in agreement with the amendments passed down to this Chamber from the Legislative Council. It was made aware of the Bill at a very late stage but has had an opportunity to make some input. As a result, we are now considering the first of a series of amendments to solve the problems encountered after the legislation was rammed through this place two weeks ago. The National Party has no problems accepting the amendment before us. However, we are upset at the manner in which the Bill has been dealt with and in the way it is being handled now. I hope a situation such as this never arises again. I hope that the other sections of the business community to whom I have referred are given ample opportunity to consider legislation. We all know that the other sections of the community do now have copies of the legislation. We will endeavour in every way possible to assure the appropriate sections of the community that those sections of legislation which they have not had an opportunity to look at, receive proper scrutiny in another place.

Mr PARKER: I thank members opposite for their support of the amendment. I was not here during the previous debate so I cannot comment in any detail on the issues raised except that I understand that part of the problem was that there was wide ranging debate which took up a considerable amount of time which might have been used otherwise to consider some of the more detailed issues.

Mr Lewis: It was not even debated.

Mr PARKER: I cannot comment on that. The Minister for Budget Management, who is responsible for this agency of Government and for these Bills, has acknowledged in the other House that the Bill was sent to the two bodies referred to by members opposite and not to others. It is certainly important, of course, to make sure that people have the opportunity to see this legislation. The monetary measures contained in the Bills, if not the clauses, were announced in the Budget, so the industry would have known precisely what was there so far as it was concerned, although it might not have been aware of the full detail. The insurance industry in particular was well aware that the Government proposed to bring in amendments to eliminate the so-called duty upon duty because the industry had requested it and it had been the subject of extensive discussions between the insurance industry and the State tax office. I accept, as has been said, that the Bill itself may not have been distributed to them and that is unfortunate, but the matter has been remedied by this amendment. The Deputy Leader of the Opposition said that the mere fact that other States in Australia undertook certain activities was no reason in itself for us to do that. That may very well be true, but in Australia we operate under a revenue equalisation arrangement known as the Grants Commission. The Grants Commission very seriously takes into account differentials between taxation measures levied by each of the States.

Mr MacKinnon: You are now going to say the Commonwealth is responsible for the Western Australia Government increasing tax?

Mr PARKER: It is not the Commonwealth, it is the Grants Commission.

Mr Lewis: Does the Grants Commission take into account how you waste money?

Mr PARKER: The Grants Commission, on that basis, would certainly have a very high regard for the Western Australian Government because our accounts are some of the most

prudentially run of any of the States. I ask members to take account of the reviews that are written about these matters by people who know and the national accounts figures which show and prove our financial probity. It is absolutely true.

Mr Lewis: You believe it yourself.

Mr PARKER: It is true that this State, in terms of population, is among the best regarding both its overall financial position and the indebtedness of the State compared to others. We are very proud of the achievements we have made, including reducing some of the debts that we were left by the Opposition when it was in Government, which make pale into insignificance any of the problems that we have faced in the immediate past. The need for this amendment was questioned by the insurance industry. The Bill attempted to reflect the agreement reached by the insurance industry and the Government. Subsequently, it was found that there needed to be a little extra to go into the Bill, the Bill not having done precisely what was intended. The Minister for Budget Management has remedied that, as a result of which we have this amendment. I am pleased that the amendment has the support of all parties and I commend it to the Committee.

Question put and passed; the Council's requested amendment made.

Mr PARKER: I move -

That amendment No 2 requested by the Council be made.

I accept it is a little embarrassing that this amendment needs to be made and that the Stamp Office did not proofread the Bill before it came to the House. I am getting pretty cross; this is the second time in matters that I have handled on behalf of the Stamp Office that I have had to move some sort of amendment. I did it in the April session also. I have some trenchant views about the way that office conducts itself in relation to legislative measures. This is a typographical error which should have been picked up by proofreading.

Mr MacKinnon: Would it not have been proper to pick it up in Parliament as well?

Mr PARKER: It has been and it is now before the Parliament for amendment.

As the Leader of the House indicated, had it not been for the other amendments that were required, it would not be necessary for this matter to be brought back to the Committee because the second reading speech and the rest of the schedule made clear what was intended. The typographical error could have been corrected by the Clerks. However, because we have had to deal with the other amendments it seemed sensible to deal with this matter and put it beyond doubt. The 40¢ figure for mortgages over \$35 000, except in the case of owner-occupied houses, is part of the Budget. I therefore recommend to the Committee that it accept that figure.

Mr MacKINNON: It is absolutely astounding that the Treasurer has tried to blame the Stamp Office for making a mistake in a three page Bill. It was just as much his responsibility to pick up the mistake when the Bill was brought to the Parliament. He has tried to blame public servants for a mistake that he is responsible for. The Bill is pretty simple to read. I know the Minister may not be the best on maths, but this mistake would have been simple for him to pick up just as it was simple for the Legislative Council to pick it up when it debated it. We do not accept the Treasurer's attack on the Stamp Office.

Mr Pearce: It was not an attack on the Stamp Office.

Mr MacKINNON: Of course it was. He said he was not happy with the way the Bill was proofread and it is the second time it has happened. He said he intended having words with officers of the Stamp Office. I am having words with the person responsible for bringing the Bill into this Chamber. He should have read the Bill the night before or on the day he introduced it to see whether it complied with the second reading speech; he did not. Not only is he attacking public servants for his own mistake, but also for the mistake of the Leader of the House who, in his petulance, would not allow a proper debate to take place in this Parliament where that sort of error would have been picked up.

Mr Pearce: Of course we do not read all Bills. You never proofread Bills before they came to the House. Don't tell me that you did.

Mr MacKINNON: What an admission that is - that Ministers do not read Bills! If they do not, they are not doing their job. Who is running this State?

Mr Pearce: The State is not being run by proofreaders.

Mr MacKINNON: Is it being run by proofreaders in the public sector or by Ministers? They are supposed to read the legislation. It is like my going to my lawyer and asking him to draft a lease agreement which I sign and then say, "Hang on, that is not what I wanted in the lease." It is the Minister's Bill and he must take the rap. The buck stops with him. The Council picked it up.

Mr Parker: We picked it up. The Minister for Budget Management picked it up when he saw the legislation.

Mr MacKINNON: Which shows there is at least one Minister, the Minister for Budget Management, who reads Bills. Not too many others read them. It was picked up in the Council.

Mr Pearce: You did not pick it up.

Mr MacKINNON: We would have picked it up if we had been given the opportunity to debate it in this place. We were not given that opportunity.

Mr Pearce: You had a whole day to debate the Bill.

Mr MacKINNON: We did not have one minute.

This amendment increases the tax rate from 4¢ to 40¢ and that gives us the opportunity to discuss the central part of the Bill - increases in stamp duty rates. There have been huge increases in recent years. The estimate in stamp duty increases in 1989 increased by 50 per cent over the previous year. In 1987-88, the estimate was \$300 million. Last year the estimate was \$542 million - a staggering increase. However, because there has been a downturn because of the rapacious Federal Government's disastrous economic policies on interest rates, stamp duty will also be affected. Rather than the State Government doing what any other individual in society would do when times get tough and pull in its belt another notch, the Government says it will ram up rates by 60 per cent. It is easy to say that increasing rates from 25¢ per \$100 to 40¢ per \$100 does not sound much. However, people are faced with huge increases. The tax payable on amounts up to \$35 000 will be \$87.50. That remains the same. The tax payable on \$50 000 will increase to \$147.50, an increase of 18 per cent on very small transactions. The tax payable on \$150 000 will be \$547.50, an increase of 46 per cent. Those words, "charges will be kept at the rate of inflation or under" keep ringing in my ears. Who said that? The same person who said, "A future you can believe in" said it. That is an increase of 46 per cent coming on top of all the other increases. The tax payable on \$500 000 will be \$1 947.50, an increase of 55.6 per cent.

Sitting suspended from 1.00 to 2.30 pm

Mr MacKINNON: I previously gave a series of examples of where the increase will impact significantly on the community. Suffice to say, the Government does not understand that at the end of the day, although it considers the stamp duty to be indirect and that it will impact only on big business, business people generally and the occasional big transaction, taxation costs are always passed on. At the end of the day the consumer picks up the tax in one way or another. That is why the Opposition is critical of the current Government and its rapacious appetite for increasing taxes, which has been evident in recent times from its increases in fuel tax, payroll tax, financial institutions duty and now stamp duty. An increase of 60 per cent is huge by any stretch of the imagination.

As this is a Budget measure, the Opposition will not oppose it to the extent of dividing the Committee. The Opposition is most upset and concerned about the significant increase and impost on the community of Western Australia. I repeat that I sincerely hope the Government has been taught a lesson in this debate; that is, it must not rush legislation through the Parliament. Consultation should take place with those people affected by such measures before they are introduced in this place, otherwise the Government will pay the price of a much delayed process and far less credible legislation at the end of the day.

Mr WIESE: In the interests of the great harmony that occurs in this place, I indicate that I agree with every comment made by the Leader of the Opposition in this debate. I have one very brief comment to make which refers specifically to a statement by the Treasurer. He said that he felt a little cross about the way the State Taxation Department had been handling affairs and, specifically, that this was the second occasion on which it had caused him some

embarrassment by failing to do something in the correct manner. I do not want to express my crossness with the State Taxation Department for the same reasons as the Treasurer. The State Taxation Department has created small problems for the Treasurer by the way it has presented material to the Parliament; but the State Taxation Department and the Government have both caused me crossness because of the way they have introduced stamp duty Bills to this Parliament. The blame for this crossness can be shared between the Government and the department, and it arises because little opportunity has been given either to members in the Chamber or the community in Western Australia, specifically the business community, to consider this measure. After all, the business people of Western Australia, especially the small business people, bear the brunt of these measures. The majority of these Bills affect small business and are directed towards small business. The provisions of the Bill before the Committee are no exception. The way it has been introduced and rammed through the Parliament with very little notice is another example.

I refer to a previous occasion when a major Bill was introduced in this place, initiated by the State Taxation Department and the Government, which contained 40 to 50 pages of amendments to the principal Act. It was introduced at the end of a session, and neither the business community nor the members in this Chamber had any opportunity whatsoever to give that Bill the scrutiny it deserved. It was rammed through this Parliament without sufficient notice. Once again we are reaping the rewards of the actions of the Government and the State Taxation Department. The community has been given insufficient notice of this Bill and many members of the business community are still not aware of its implications.

I thank you, Mr Deputy Chairman, for your indulgence in allowing me to wander from the amendment we are discussing; however, I believe my comments are relevant to the debate. The National Party accepts that a drafting error has been made but, nonetheless, this error which needs correcting should not have reached the Chamber and it should not be necessary to deal with it in this way.

The substance of the amendment has been commented upon very aptly by the Leader of the Opposition, and I endorse those remarks. It does not matter how the Government tries to sell this Bill, stamp duty will be increased by 60 per cent. In anybody's language, that is an enormous increase. It does not matter what the Government does or says, it cannot run away from the effects this will have on small business and the business community in general in Western Australia. The community will be affected by the alterations in rates of stamp duty on mortgage documents, and the business community will wear an increase in the rate of stamp duty of 60 per cent. The effects of that have been well and truly spelled out by the Leader of the Opposition and I will not repeat them because I do not want to waste the time of the Committee. I hope the point has been accepted by those responsible. It annoys and distresses me that the business community bears the brunt of all the Government's taxation measures that have been debated in this Chamber during the session. I cannot help but think of a telephone call I made yesterday in the process of following up the effects on the business community of some of the proposed amendments to this Bill. I spoke to a person who had been running his own business, employing 14 people; because of the increased charges and financial disincentives imposed on him by the State and Federal Governments, he is now running a one man operation, with one female employee. That is not an isolated example; I believe every person in this Chamber could give similar examples. The State and Federal Governments are continually attacking and bleeding dry the business people of this country, as though the business community were a milch cow from which they can draw funds ad infinitum. I sound a warning to the Government that the time is fast approaching - and I suspect that it is already here - when the supply of funds from that source will run out. A lot of small business people are quitting their businesses; they believe they would be better off working for someone else than running their own business and providing employment for people in the community. This proposed 60 per cent increase in the rate of stamp duty is a condemnation of this Government and its attitude to small business.

Mr LEWIS: This Government has forced through this legislation to increase the rate of stamp duty on mortgages when, on the other hand, it is currently undertaking a major review of the Stamp Act and its associated procedures. The only conclusion that can be drawn from this apparent conflict is that the Government is hungry for money; its revenue is not up to the expected level because of the economic downturn being experienced in this nation, and in order to maintain its credibility within the community it needs to raise additional funds.

It is of even greater concern to me that the Government has deliberately understated the revenue that will be raised by this increase in stamp duty. This Bill proposes to increase the stamp duty on mortgages from 25¢ to 40¢ per \$100, which is a 60 per cent increase on a mortgage of \$150 000. That is a massive increase in the rate of stamp duty. In 1986-87 the estimated revenue from stamp duty was \$220 million. The actual revenue was \$270 million, or an additional \$530 million; a 24 per cent increase. I am not saying that on that occasion the Government deliberately understated the estimated revenue, but it certainly was very conservative about its estimated revenue collections.

In 1987-88, the estimated revenue was \$302 million. The actual revenue was \$432 million, or an additional \$130 million; a 43 per cent increase. The Government stated at the time that that was a consequence of the buoyant economic condition of the State. I suggest that the estimated revenue was deliberately understated so that there would be a bit of fat in the revenue side of the Budget in case there were problems, such as those experienced by Teachers Credit Society, Swan Building Society and Rothwells Ltd. In 1988-89, the estimated revenue from stamp duty had exploded to \$454 million. The actual receipts were \$542 million, or an additional \$88 million; a 19.4 per cent increase.

We can expect that, going into 1989-90, with the obvious economic downturn we are experiencing in this country, the revenue from stamp duty will probably not be as high as was collected in 1988-89, but the Government needs a growth in revenue because of its gross mismanagement of this State's finances. The Government has promised the electorate that it will endeavour to not hurt the family, so the only other entity to which it can turn to raise additional revenue is the business community. However, the increases imposed on the business community are passed on to the other members of the community, so by sleight of hand families will suffer anyway when they buy homes or goods and services. The stamp duty revenue from mortgages is estimated to be \$44 million in 1989-90, which is an increase of \$4 million over the previous year. We are not talking only about housing mortgages, but about business loans -

Mr Parker: Housing loans are not affected by this amendment Bill.

Mr LEWIS: Of course they are. The exemption applies only to first home buyers.

Mr Parker: We are exempting all owner occupied houses.

Mr LEWIS: Other than people in a residential commercial situation.

Mr Parker: Not first home buyers.

Mr LEWIS: I accept that, but there are 120 000 homes which are tenanted, and owned by investors or landlords.

Mr Parker: Yes, I accept that, and they are not exempt. I make no apologies for that.

Mr LEWIS: Yes, but it will not hurt the owner of that property. That will be passed on in rents. Cannot the Treasurer accept that?

Mr Parker: The rents will reflect the market, as you would normally say yourself.

Mr LEWIS: Not in all cases. The market certainly has a bearing on it but there comes a time when costs associated with maintaining that investment cause the market to be increased. Is that reasonable?

Mr Parker: The cost is a once only cost incurred on the mortgage.

Mr LEWIS: A once only cost?

Mr Parker: On any particular house.

Mr LEWIS: My understanding is that most properties are turned over every seven years.

Mr Parker: Once only by the owner.

Mr LEWIS: But this is for every single loan that is written in the State.

Mr Parker: Every mortgage.

Mr LEWIS: Every mortgage, and loan. It does not have to be a mortgage. It is a stamped instrument, is it not? It is not only a mortgage. I understand that the duty on every single instrument above \$35 000 that is stamped will be increased from 25¢ to 40¢ per \$100. That

must reflect on the revenue, and what puzzles me is that the Budget papers show only a \$4 million increase. I suggest to the Treasurer that if this applies to every single loan instrument, which I believe it does, and if one looks at it on the basis of a mean increase of 40 per cent in stamping, that will raise an extra \$17 million, not \$4 million or \$5 million as projected by the Government in its Budget.

The Government has deliberately underestimated the revenue side of the Budget in the stamping area once again, and this year I will be very surprised if another \$17 million or \$18 million is not raised by virtue of stamping of mortgages and other loan documentation. Now that the Treasurer has checked, I ask him whether that is not correct.

Mr Parker: Item 13 of the clause specifies the nature of the arrangements to which this applies. You are right; it is not just mortgages, nor all loan agreements, but certain types of loan agreements.

Mr LEWIS: It is all stamped agreements and instruments.

Mr Parker: Above \$35 000.

Mr LEWIS: If the Treasurer is looking at a 40 per cent increase - let us call it a median increase - in stamping, which it comes to, and he has a figure of \$44 million in his Estimates, it just does not compute to have an estimated increase of only \$4 million. I think the Treasurer is deliberately deceiving again.

Mr Peter Dowding: What is the evidence?

Mr LEWIS: Does the Premier want to hear the evidence again? He should look at his previous record over the last four Budgets regarding revenues from stamp duty.

Mr Peter Dowding: What a dill you are.

Mr LEWIS: I am not a dill at all. I have just done a little homework on the matter.

Mr Parker: The reason is that such a high proportion of the revenue comes from mortgages on owner occupied homes, and they are not affected at all.

Mr LEWIS: That is nonsense. Every time one takes out an overdraft at the bank and an instrument is stamped, one pays stamp duty. Most of those loans are not for \$20 000 or \$30 000 but for \$70 000 or \$100 000. In any business today, if it is under \$60 000 one does not have a loan. The Treasurer knows it and he should explain to the Committee why he has shown an increase of only \$4 million. Will the Western Australian economy turn down that much?

Mr Parker: Because that is what the advice is. I do not make any personal assessments of these matters.

Mr LEWIS: But is not this the proper place for me to question the Treasurer?

Mr Parker: Sure.

Mr Peter Dowding: The member for Applecross has never been in Government and he clearly does not understand it.

Mr LEWIS: I have never been in Government, and clearly I do not know anything about it; but nobody on the Government side of the Chamber has been in business and they do not know anything about small business.

Mr Peter Dowding: Oh yes, I have run a business.

Mr LEWIS: The Premier ran a very highly paid divorce legal practice.

Mr Peter Dowding: I ran a very successful business, which is a bit different from you, ripping fees off people.

Mr LEWIS: The Premier used to live off the unfortunate circumstances of others. We know about him.

Mr Peter Dowding: People queued at the doors.

Mr LEWIS: I know, because the Premier was such a vitriolic representer of the facts; that is why.

I will not be distracted. I challenge the Treasurer to discredit my figures. I suggest about

\$17 million extra will be raised this year in the stamping of mortgage documentation, and the Treasurer says \$4 million. I ask him to get the answers and come back to the Committee and tell me whether I am wrong, because if I am wrong the figures in his Budget are certainly not right.

These imposts should never have been put on the people in this State at this time because the revenue raised by stamping has increased by 120 per cent over the last four years. Surely the Government cannot expect to increase its stamping revenue every single year. Now and again it must have a bad year. However, this Government does not want to do that; it wants to have the extra money even in a bad year. Because the Government has mucked up the Western Australian economy, and gone in and murdered half a billion dollars with dumb deals, it now wants the rest of Western Australia to pay for those dumb deals. The Government sneaks in here and deliberately underestimates what its revenues will be. That is what it has done for the last four years because it is trying to snow the public once again. However, I am a great believer in fate. One gets what one deals in this world, and these people have been dealing too badly for too long. Sooner or later right will prevail and they will have their comeuppance.

Mr PARKER: I was interested in that last little moral homily. However, in relation to the issues before us, I want to make three points. The first is that it is acknowledged that the rate of duty on mortgages and other particular loan instruments above \$35 000 is increasing, except where those apply to owner occupied dwellings. I want to emphasise that in case anyone has got it wrong. Not just first home buyers but any owner occupied dwelling will continue to pay on the basis of the 25¢ rate and not the 40¢ rate. It is important for everyone to understand that.

The second point I would make is in relation to the member for Applecross's views about the amount of revenue we are likely to raise. It has become apparent to me in the time I have been on the Cabinet Finance and Economic Development Committee, and its predecessors, and certainly since I have been Treasurer, that the task of estimating what revenue we will get from any particular measure is rather a black science. It is certainly not one which is carried on by Government at the ministerial level; it is carried on by professional officers relying on advice from the industries that feed into the revenue, relying on experience of the past, their best assessments and best guesses of what is likely to take place. While it is true that there were underestimates of revenue in the past two or three years, it is also true that nobody was game enough to anticipate the extraordinary strength of the Western Australian economy during that same period. While people expected there to be growth in the economy, nobody expected the growth to be of the order that it was, and as a result the estimates were under. They varied in the degree to which they were under, but growth in Western Australia was extraordinary and quite unprecedented, and greater than the growth in other States. All I can say is simply that, compared with other States' revenue estimates, the Under Treasurer has prepared for me a paper which compares the basis upon which revenue raising projections are made and the policies being followed, especially in the area of property. Of course, property is the backbone of stamp revenue. The amount we have suggested -

Mr Lewis: You have captured everything.

Mr PARKER: It is still the backbone in terms of the proportion of the fees.

Mr Lewis: Not any more!

Mr PARKER: We are trying to -

Mr Lewis: Screw the business community!

The DEPUTY CHAIRMAN (Dr Gallop): Order!

Mr PARKER: We are trying to treat transfers on different forms of property equally. There is no logical reason why one form of property should be treated differently from another in terms of its transfer; that is, the rationale behind not this legislation and not this amendment but legislation which is being debated currently in another place.

The arrangements are deliberately directed to ensure that they apply in the areas of business activity and not in the area of home activity. Of course, any cost increase has a flow on impact on the economy but the Leader of the Opposition in indicating the amounts involved

revealed how little the impact would be on the flow on effect on a business with a \$500 000 mortgage. One could argue a case of inequity saying people with a \$500 000 housing mortgage should be treated differently. We have decided that no matter the size of an owner occupier housing mortgage the people involved will still pay 25¢ in the \$100 rather than 40¢ in the \$100.

Mr Wiese: There is room for growth.

Mr PARKER: I am not saying that. We have provided an exempt category for the owner occupier as distinct from the business related areas. We made clear in the Budget that this is a Budget measure; one which we have addressed in the Budget and spoken about over the last two and a half months since the Budget was brought down.

I commend the amendment to the Committee.

Mrs EDWARDES: Even though the reason for the amendment before the Committee is an embarrassment to the Government, I am pleased to have the opportunity to make a few points because I was one person who missed out on debate of the third and fourth amendment previously. I do not wish to canvass that except to express disappointment about not being able to go through the several areas under the third amendment which will impact greatly on small business. My concern arose out of the fact that a great majority of clients represented by my legal practice at Wangara come from the small business community. The impact of those amendments will be great on those people.

Eleven amendments have been made to the Stamp Act since the Government came to power, and three Acts affecting the Stamp Act. I note that a review is being conducted; an urgent need exists for a comprehensive review of the Stamp Act - I accept that, because the legal profession is frustrated by this legislation. But why is the review being conducted after the amendments have been passed?

I have the same concern as the member for Wagin relating to the small business proprietor. The Government has no small business policy, even though it has put out a glossy brochure in Western Australia setting out 34 ways in which the Western Australian Government is stimulating small business. The stamp duty increases will impact greatly on small business because these people take risks in business. They borrow money to expand, and they create employment and investment opportunities. The legislation will have severe implications for the investment and employment opportunities of small business proprietors because they do not have huge cash flows, and they take risks.

Mr Peter Dowding: What is involved in the stamping of a mortgage for \$100 000?

Mrs EDWARDES: Forty cents for \$100.

Mr Peter Dowding: How much is that in relation to employment prospects?

Mrs EDWARDES: I do not have my calculator here.

Mr Peter Dowding: The member for Kingsley makes assertions but she has not worked that out.

Mr Parker: The answer is about \$75.

The DEPUTY CHAIRMAN: Order!

Mrs EDWARDES: The member for Applecross made a point earlier about investment in small business and loans taken out at around \$100 000. However, loans are far greater within small business in the Wangara light industrial area. Legal practitioners involved in huge overseas investments and multimillion dollar deals say that the impact by comparison will be proportionately less but it will be severe and something that people will take into account as an initial cost involved in getting into investment.

Mr MacKinnon: The cost is passed on.

Mrs EDWARDES: Yes, and the Treasurer recognises that.

The prime sufferer is the business proprietor; the secondary sufferer is the consumer, as the member for Applecross pointed out in respect of people who pay rent.

This legislation represents only one of the many taxes which have come before Parliament this year taking away incentive from people to go into business and from the small business proprietor to further expand into those enterprises which will be productive and provide

opportunities. I refer to the great new enterprise park in Landsdale where people will have to purchase not only the land or negotiate the leases to take over business but also to borrow to take the risk. This is one of the initial costs to take into account in assessing whether to go into business. I emphasise that when a person goes into business that person should look at all the costs.

When the Government talks about 34 ways in which Government can stimulate small business, it should look at its small business policy, work out the contradictions and bring forward a policy that provides incentives to small business. That policy should not take away incentives to get into business, or take away employment opportunities; rather it should properly cater for and take into account those aspects. This Bill does not help in those areas. The question needs to be asked: Why does this Bill and many others this year impact on the small business sector? This is one sector which can least afford to have any further imposts on it. By comparison, the effect on big business will be negligible. The deals with which we are trying to attract investment into the State - the multimillion dollar deals - moving from \$1 million stamp duty to \$6 million stamp duty is an area which will need to be considered as well. People will need to determine whether it is a worthwhile exercise to enter into that investment.

This extra imposition is totally unwarranted. The Treasurer has talked about bringing Western Australia into line with the Eastern States but that is not a reason for Western Australia to increase the rate to 40¢ per \$100. I regard myself as a Western Australian who thinks for herself and somebody who stands up for my State, not necessarily somebody who ought to follow the same lines as the Eastern States.

The amendments in the Stamp Amendment Bill (No 3) - and I know that that Bill is not before this House and that those matters will be dealt with in another place - need to be looked at in terms of this Government's policy on small business. The Government needs to put a policy together which will look at the impact of the whole Bill, and not just at putting out glossy brochures informing people of what is happening. It needs to consider the impact of the increases in costs, charges and taxes on the small business community.

Mr LEWIS: The precedent that the Government is setting requesting the other House to amend a money Bill and send it back to this Chamber to amend is unheard of.

Mr Parker: That is not true.

Mr LEWIS: That is true. What are we doing? Who initiated these amendments?

Mr Parker: The Government has requested the Legislative Council to request the Legislative Assembly to amend a money Bill.

Mr LEWIS: Let us not play at semantics.

Mr Parker: It's a very important issue.

Mr LEWIS: It is now firmly on the record that the Government has accepted that the Legislative Council can amend a money Bill!

Mr Parker: That's not right.

Mr LEWIS: That money Bill has come back to the Assembly for the amendment to be ratified.

Mr Parker: That's not true.

Mr LEWIS: What are we debating?

Mr Parker: We are debating a request from the Legislative Council to the Assembly to amend a money Bill.

Mr LEWIS: No, we are debating amendments to a money Bill, which amendments originated in the Legislative Council.

Mr MacKinnon: The request was made by the Council.

Mr Parker: That's right. That's exactly what I've said.

Mr LEWIS: Who initiated the request?

Mr Parker: The Government.

Mr LEWIS: Did members hear that? The Government initiated a request for the Legislative Council to amend a money Bill!

Mr Parker: No, it did not. You didn't hear what the Leader of the Opposition said. He's got it right and you are wrong. The Government asked the Legislative Council to request us to amend a money Bill.

Mr MacKinnon: It was initiated in the Council; that's the point.

Mr Parker: By the Government.

Mr MacKinnon: In the Council.

Mr Parker: The Legislative Council recognises that it can't amend a money Bill because it has had to come back to us at this time to ask us to amend this one.

Mr LEWIS: Yes, but the Government has asked the Legislative Council to amend this Bill.

Mr Parker: No, it hasn't.

Mr Pearce: The Legislative Council has asked the Government to amend it.

Mr LEWIS: The great Acting Treasurer of last week who mucked up the Bill has just said something contrary to what the Treasurer has just said. The Government does not even know what it is doing. A Bill has been brought into Parliament to decrease a tax revenue by about 1 000 per cent - that is what the Government is doing with this legislation - and it is so embarrassed about it that it had to go to the Legislative Council and ask it to amend the Bill so that the amendment could be brought back here to be sorted out. That shows what a shambles the Government is in. The Government has the gall to criticise the Opposition when it makes an error while the Leader of the House who handled this Bill in the Treasurer's absence contradicts the Treasurer.

Mr Parker: No, he didn't.

Mr LEWIS: The Government does not know what it is doing with finance or with small business or the state of the economy and the sooner it is out the better.

Mr STRICKLAND: We have heard conflicting arguments over the amount of money that would be raised through an increase in stamp duty on mortgages. The Treasurer has indicated that an extra \$4 million will be spent and I have heard of a figure of \$17 million. Is the Treasurer prepared to table the notes on how that extra \$4 million was obtained?

Mr Parker: The Treasury makes the estimates and provides them to me. I rely on its advice in these matters. The department, in turn, relies on information that is provided to it by the State Taxation Department but I don't know what the precise basis of that is. If there is nothing particularly confidential about the information I don't mind providing it; it is purely on the basis of professional officers' advice. They can be wrong; they were wrong because they underestimated the huge level of economic activity.

Mr STRICKLAND: If we are debating whether something is right or wrong it is very important that we have evidence so that we can make a judgment. I thank the Treasurer for his indication that he is prepared to provide the figures.

Mr WIESE: Before the Premier left the House he scathingly insinuated that the amount of tax that will be raised by this Bill is a piddling amount and will not worry anybody because business has heaps of money and can afford to pay it. Parliament needs to stop and think because this Bill and the stamp Bills are affecting many areas. The amount taken from the business community through stamp duty on mortgages will increase from 25¢ per \$100 to 40¢ per \$100, an increase of 60 per cent. However, the Government is happily passing over the fact that the Bill will have other effects because stamp duty on the transfer of chattels in part of a business will apply specifically to business transactions. I spoke with a business broker yesterday who said that a \$300 000 business may have three components in its transfer, one component of which is the property section of the transaction.

Mr Parker: This amendment only relates to the stamping on mortgages, not on transfers.

Mr WIESE: My comment relates to the Premier's insinuation before leaving the House that the effects of the increases are minor. They are not minor. The Premier did well to leave the House in the hurry he did.

A member interjected.

Mr WIESE: The effect is as a result of the mortgage. In a \$300 000 business - basically every person going into a business will borrow for it, and instead of the duty being \$2.50 per \$1 000 it will now be \$4 per \$1 000 - as near as I can work out, the businessman will have to pay \$450 per \$1 000 extra as a result of increase in stamp duty on mortgages.

Mr Parker: The increase would be \$280 on \$300 000.

Mr WIESE: The way I see it, he is up for that sort of increase on a \$300 000 mortgage.

Mr Parker: It would be \$280.

Mr WIESE: He will have to pay duty also on the other sections of the property transfer. In the \$300 000 example that I gave previously, the owner would have paid stamp duty only on the property section which totalled \$130 000. However, he will now pay stamp duty on the chattels component totalling \$100 000 which was previously exempt. I hope that the stock valued at \$70 000 will still be exempt. An extra amount of duty at 3.25 per cent will be incurred on the transfer of a property valued at between \$100 000 and \$250 000. Basically we are looking at an additional 3.25 per cent duty on the extra \$100 000 worth of chattels. The increases in stamp duty are substantial and the duty collected as a result of the changes the Government is making will go to the State Taxation Department.

It was not correct of the Premier to insinuate that these are piddling amounts because they are not and they will have a major effect on the sale and transfer of properties and on the revenue received by the Government. The increases will have a psychological effect on people contemplating buying into a small business. Stamp duty is not the only cost those people going into business will be caught with because they will be caught with legal fees, licences and other charges. The accumulative effect of those costs, of which stamp duty is a major part, is that people will think twice before purchasing a small business. If the Government is not aware of that and cannot see what is happening in the small business community, it is time it spoke to some of the people who are engaged in small business and who are engaged in the sale and transferring of small businesses. It will find it is a very different story from that which it is trying to put to the Chamber today.

Question put and passed; the Council's requested amendment made.

Mr PARKER: I move -

That amendment No 3 requested by the Council be made.

I explained the reason for this amendment when I moved the first amendment. This amendment relates specifically to the duty upon duty and is designed to ensure there shall be no duty upon duty. It is sought by and supported by the insurance industry of Western Australia and by the major insurers who are concerned they have been paying a compounded amount of stamp duty more than they should have been paying. The Government announced it would remove that defect and the original legislation sought to do that. This amendment, together with the first amendment which has been carried by this Committee, remedies that situation and provides the relief the industry has sought.

Mr MacKINNON: The Opposition supports this amendment. At the time this clause was brought to our attention I corresponded with the Government urging this change. It has now been effected and has the Opposition's total support. I repeat my earlier comments that it is a pity we had to take this line of action. It would not have occurred if it had not been for the Government's intransigence.

Question put and passed; the Council's requested amendment made.

Report

Resolutions reported, the report adopted and a message accordingly returned to the Council.

GOVERNMENT EMPLOYEES SUPERANNUATION AMENDMENT BILL

Second Reading

MR PARKER (Fremantle - Treasurer) [3.26 pm]: I move -

That the Bill be now read a second time.

This Bill introduces a number of amendments to the Government Employees Superannuation

Act 1987 including some new policy initiatives and also a number of technical issues. The key aspects of the Bill are as follows.

Withdrawal arrangements: The current legislation allows members of the lump sum scheme who transferred from the old pension scheme, to terminate membership of the fund and obtain a refund of their transferred contributions and accrued interest. The option becomes available on completion of two years' contributory membership. Members who elect to exercise this option may, after two years' absence from the scheme, rejoin and accrue benefits in the normal manner.

As transferred contributions comprise about \$300 million of the \$550 million in the Government employees superannuation fund, the viability of the fund would be called into question if a significant number of employees exercised the withdrawal option. The Government could not allow such a situation to develop as the superannuation entitlement of many thousands of public sector employees could be jeopardized. Accordingly, negotiations were entered into with the union movement with a view to finding a solution acceptable to both parties. I am pleased that agreement has now been reached with the executive of relevant unions regarding the terms of an alternative arrangement. This has ensured that the withdrawal option will proceed, although in a modified form. However, the Civil Service Association Council has expressed certain reservations regarding the modified withdrawal option. The proposal contained in this Bill is for the withdrawal option to be open for a period of six months only from the day of eligibility, which is two years from the date of joining the fund. Members who exercise this option -

- will not be allowed to rejoin the scheme for two years;

- will not have their past service benefits indexed until they re-enter the scheme as contributory members; and

- will be without insurance cover for death and disability during the period of absence from contributory membership.

The Bill also provides that transferred members who elect to withdraw from membership outside the six month provision, and other members who enter the scheme after 30 June 1989 and elect to withdraw, will have no right to future contributory membership of the fund. An exception will be made where the member resigns from employment and is subsequently re-employed in eligible service. Importantly, the proposed amendment provides for the past service benefit to be indexed at a rate equal to the Consumer Price Index, plus 1 per cent, from the date the person rejoins the scheme.

Rural and Industries Bank - withdrawal arrangements: Since the Government Employees Superannuation Act was introduced, legislation has been passed enabling the R & I Bank to establish its own superannuation scheme. One of the measures contained in this Bill provides for members of the Government employees superannuation fund who are employees of the R & I Bank, the right to transfer to the new R & I Bank staff superannuation scheme. If all R & I Bank employees elect to take up the transfer offer this would involve a payment of about \$12 million from the Government employees superannuation fund to the R & I Bank's scheme. Suitable provision has been made in the rules of the bank's scheme to ensure that the accrued entitlements of transferees are fully protected.

Public sector superannuation schemes: Before the Government employees superannuation scheme was established many employing authorities set up their own schemes. The two main reasons were the high cost of the pension scheme and the lack of a lump sum option. The schemes concerned have been closed to new entrants and members have been given an option to transfer to the Government employees superannuation scheme. Legislation formalising this matter is expected to be introduced into the Parliament next year in the form of an Acts Amendment Act.

The superannuation scheme established under the Government Employees Superannuation Act was designed to cater for all public sector employees. For this reason, the Bill before the House contains a proposal that will prevent the establishment of other public sector superannuation schemes without the express approval of the Treasurer. Such approval will not be granted unless, as in the case of the R & I Bank, very special circumstances apply to the authority seeking this right. The amendment proposed will ensure that the proliferation of schemes that has occurred in the past will not be repeated.

New initiatives: I now address a range of issues that generally enhance the existing entitlements and/or options available to members of the scheme. The Government Employees Superannuation Board has identified the need for the particular proposals and has recommended they be implemented in the interest of members. Before explaining these proposals, I make it known that the Government will shortly be introducing a Bill to amend the Local Government Superannuation Act 1980. The amendments will enable employees of Government agencies such as the Zoological Gardens Board to transfer to the Government Employees Superannuation Fund. This proposal is consistent with the Government's broad policy that its employees be covered for superannuation under the Government Employees Superannuation Act. Details of the arrangement will be provided by the responsible Minister when the Bill is introduced.

Indexation of past service benefits: In conjunction with the proposed amendment to the withdrawal arrangements the Bill proposes to index the 12 per cent past service benefit that can be preserved within the scheme when a member resigns after completing two years' contributory membership. When the original legislation was drafted and enacted in 1987 no provision was made for the indexation of the past service benefit due to an oversight. As it was a clear intention of the Government to provide for this entitlement, it is now proposed to correct this error.

A new transfer offer: The Bill provides for a new transfer offer to be made to remaining members of the pension scheme to join the lump sum scheme. This proposal is made in response to the report on discrimination in superannuation funds and pensions schemes by the Equal Opportunity Commission. One of the recommendations of the report is that members of a discriminatory superannuation scheme - the pension scheme - be offered the opportunity to join a non-discriminatory scheme - the lump sum scheme - on the basis that no changes will be made to the discriminatory scheme.

It is also noteworthy that 32 per cent of pension scheme members are under the age of 40 years and some have expressed interest in a new offer. It is proposed that the new offer be basically the same as the old offer with one exception; that is, the offer will comprise -

- members' contributions to the pension scheme at 10 per cent interest;
- a benefit of 12 per cent for each year of past service; and
- a two year qualifying period for preservation of benefits.

The exception is that there will be no special withdrawal option for newly transferred contributors. It is further proposed that the transfer offer be open for three months from 1 January 1990.

Because it is difficult to project the number of pension scheme members who will transfer on this occasion no accurate forecast of the financial implications can be made. However, because the cost to the State of paying pensions can be as high as 25 per cent of salary, and the employer cost of the lump sum benefit is only 12 per cent, long term savings will result. Furthermore, it is not expected that many pension fund members of retirement age will transfer as these people would have looked very carefully at the transfer offer when it was first made available in July 1987. For this reason, reopening the transfer option is unlikely to increase the State's short term superannuation costs.

Reciprocal arrangements: The Government Employees Superannuation Act provides for the Government Employees Superannuation Board to enter into reciprocal amendments with other public sector superannuation schemes. The purpose of this provision is to enable portability and continuity of superannuation coverage for public sector employees. Because the board has been recently established, and due to changes in other public sector schemes, no reciprocal agreements have been entered into. This has disadvantaged some members who have left the scheme and taken up other public sector employment.

The Bill proposes the automatic right of preservation of benefits to members of the Government Employees Superannuation Fund who resign and subsequently rejoin another public sector scheme within three months. This proposal offers an additional benefit to the existing arrangements under which members who have at least two years' membership in the fund can preserve their full entitlements.

Additional insurance cover: Members of the Government Employees Superannuation Fund

who take unrecognised leave without pay are not eligible to contribute to the fund and are not covered by insurance for death and disability benefits during the period of absence. This applies mainly to members who take leave without pay for private purposes or other reasons which a member's employer does not regard as good service. Leave without pay that does not come within this provision includes cases of sick leave, maternity leave or other leave approved by the employer.

The Bill proposes to allow affected members the option to obtain insurance cover in the fund through the payment of a premium determined by the Government Employees Superannuation Board on the advice of an actuary. The premium will be at commercial rates. This proposal overcomes a number of concerns expressed by fund members about the continuity of insurance cover during periods of leave without pay.

Payment of interest: The current legislation provides for interest to accrue only on members' contributions transferred from the pension scheme and on benefits that are preserved in the fund following resignation before age 55. During the two years that the new scheme has been operating a number of instances have arisen where the actual payment of a retirement benefit has been delayed. This has resulted in the member suffering a loss of interest that might otherwise have been obtained through earlier investment of the benefit. While the Government Employees Superannuation Board's procedures have been designed to prevent delays in making benefit payments, it is not possible to ensure that this occurs in all cases. For this reason, and in fairness to retiring members, the Bill proposes to empower the Government Employees Superannuation Board to add interest to benefit payments where it believes the circumstances warrant such action. Where the board makes such a decision the rate of interest is to be equivalent to the Consumer Price Index plus one per cent. This is consistent with the rate of interest payable in respect of preserved benefit payments.

Retrenchment benefits: Shortly after the new lump sum scheme was introduced on 1 July 1987 it was realised that the transitional provisions set out in schedule 4 of the Government Employees Superannuation Act did not cater for transferees who were retrenched during the first two years of the scheme's operation. Technically, such members would forfeit their 12 per cent past service benefits on retrenchment. The Bill proposes to correct this shortcoming retrospectively from 1 July 1987 by allowing retrenched members the right of preservation within the two year qualifying period.

Inward portability: The existing provisions of the Act which enable members to bring into the scheme superannuation payments they receive from former membership of other schemes do not cater for the three per cent productivity benefits that employees now receive. These benefits must be preserved within a superannuation fund until age 55 is attained, except where the member dies or is retired on ill health grounds. The Bill contains a proposal that will enable productivity superannuation benefits arising from previous employment to be paid into the fund where the member wishes this to occur.

Payment of productivity benefits: The present legislation ensures that all members of the scheme receive the union initiated three per cent productivity entitlement. When members leave the scheme their accrued productivity entitlement is either transferred to a new scheme upon request or retained in the fund as a deferred benefit until age 55. This applies regardless of the amount of the benefit. Experience has shown that in many cases the benefit is smaller than the cost of its administration.

Commonwealth legislation which requires productivity benefits to be preserved until age 55 permits the payment of amounts under \$500 to be made to members on termination of employment. In the circumstances, and for the reasons outlined, the Bill proposes an amendment to the Act that would allow amounts of less than \$500 to be paid to members.

Part time employment: Members of the old pension scheme who revert to part time employment lose eligibility of membership of this scheme and forfeit their pension entitlement. The Bill proposes to grant such members an optional transfer to the lump sum scheme, which does provide for part time employees. This is a more practical measure than attempting to introduce complex amendments to the Superannuation and Family Benefits Act to cater for the small number of employees who become part time. The transfer will be on the same basis as the new transfer offer outlined earlier.

Employer funding arrangements: When the lump sum scheme was introduced in 1987 the

opportunity was taken to have statutory authorities meet their employer superannuation commitments by way of concurrent contributions to the Government Employees Superannuation Fund. The legislation included a schedule which set out in part A and part B respectively the departments that were not required to pay employer contributions and those that were required to do so. Provision was also made for the addition of new employing authorities and for variations to existing employing authority classifications to be made by regulation.

The Bill before the House contains a proposal that will enable changes to be effected in a more efficient manner. This will be done by the Treasurer publishing a declaration in the *Government Gazette* which will detail the relevant employing authority and its superannuation obligations. The proposal will also overcome a legislative shortcoming concerning membership eligibility. This relates to the holders of certain statutory offices whose eligibility to participate in the scheme has been questioned. Furthermore, the proposal will simplify the admittance into the scheme of new employing authorities such as the Zoological Gardens Board to which I referred earlier.

Technical amendments: In addition to the key initiatives outlined the Bill addresses a number of technical issues which the Government Employees Superannuation Board has identified as requiring legislative amendment to ensure the administrative efficiency and equity of the fund. The issues include clarification of salary definitions, membership eligibility, contributions payable by contributors seconded to other employment, contribution adjustment dates, the payment of deferred benefits, and the like.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Lewis.

ACTS AMENDMENT (PARLIAMENTARY SUPERANNUATION) BILL

Second Reading

MR PARKER (Fremantle - Deputy Premier) [3.40 pm]: I move -

That the Bill be now read a second time.

The main purpose of this Bill is to amend the funding arrangements under which superannuation entitlements are paid under the Parliamentary Superannuation Act 1970, and to establish a new authority to administer the scheme. In addition, the Bill provides for some consequential technical amendments to the Acts Amendment (Parliamentary Superannuation) and Transitional Arrangements Act 1988; the Financial Administration and Audit Act 1985; the Parliamentary Commissioner Act 1971; and the Salaries and Allowances Act 1975. Members will be aware that currently all benefit payments are made out of the parliamentary superannuation fund. In addition, contributions payable by members and the State are paid into that fund.

The Bill proposes that in future all benefits, including pensions already in force, will be paid from the Consolidated Revenue Fund. The major proportion of the Government's share of benefits paid under the superannuation schemes that cater for Government employees is already being met in this way. Importantly for members, the proposed amendments to the funding arrangements do not impact upon the superannuation benefits payable under the Act or, where appropriate, as a result of determinations made by the Salaries and Allowances Tribunal. Under the proposals, the assets of the parliamentary superannuation fund will be vested in the State and paid into the Consolidated Revenue Fund. In addition, contributions deducted from members' salaries will be paid into the Consolidated Revenue Fund. It is noteworthy that the proposals seek to establish arrangements consistent with those already applying in respect of members of the South Australian and Commonwealth Parliaments.

The proposed measures reflect the Government's response to the Federal Government's new superannuation tax laws, and have been adopted following a recommendation from the trustees of the parliamentary superannuation fund. The new arrangement will be advantageous to the taxpayers of Western Australia because it will remove any obligation the fund would otherwise have had to pay taxes to the Commonwealth Government under the new superannuation tax laws. To the extent that such payments were made, the fund's financial position would have been affected, requiring the State to increase the size of its

actuarial subsidy to the fund. The proposed amendments mean also that members' taxation liability in respect of their superannuation benefits will be assessed under the old tax laws.

The other change proposed by this Bill deals with the establishment of a board to manage the scheme in place of the current trustees. Initially the board will comprise the same people who are the trustees of the fund. This change is considered appropriate as there will be no trust moneys for trustees to administer after the proposed amendments come into force. The arrangements for appointing future members to the board will be the same as those applying to trustees; that is, the Treasurer, or his nominee, will chair the board, and two other members will be appointed from each of the Legislative Assembly and the Legislative Council.

To ensure that the appropriate standards of accountability are maintained, the Bill provides that the new board will be subject to the reporting requirements of the Financial Administration and Audit Act. Furthermore, provision has been made for an actuary to regularly assess the financial obligations of the Consolidated Revenue Fund in respect of members' superannuation entitlements, and report the results to the Treasurer. I commend the Bill to the House.

Debate adjourned, on motion by Mr Lewis.

CONSERVATION AND LAND MANAGEMENT AMENDMENT BILL

Second Reading

MR TAYLOR (Kalgoorlie - Minister for Conservation and Land Management) [3.43 pm]:
I move -

That the Bill be now read a second time.

This Bill will provide the first overall revision of the 1984 Act which created the Department of Conservation and Land Management and its controlling bodies. This Government is committed to continuing to build up our conservation estate; in the past financial year alone more than 500 000 hectares were added, including the Shannon River National Park. This brought the total area of land managed by the Department of Conservation and Land Management to well over 17 million hectares. It is with pleasure that I announce to this House that Western Australia is now to have a new category of reserve to be known as a "conservation park". Conservation parks will have the same functions as national parks but will be areas which do not have the same national significance; some will be areas which are smaller in size or have suffered some previous disturbance. A prime example is the popular Lane Poole Reserve near Dwellingup.

Conservation parks will have the same security of purpose and tenure afforded to national parks by way of a consequential amendment to section 31A of the Land Act. Members may be aware that the creation of this new category of land follows the extensive public consultation which occurred as part of the Department of Conservation and Land Management's regional forest management plans. Another significant recommendation of the management plans was to afford security of purpose to State forest. These areas currently have security of tenure through section 9 of the Act. This Bill will require any changes in the purposes stated in a management plan for State forest to be approved by Parliament. The Bill requires also a management plan for State forest to specify its purpose or combination of purposes. A list of purposes is included in section 55 of the Bill. The security of purpose to be afforded to State forest has been sought by the conservation movement and the timber industry.

The creation of the Department of Conservation and Land Management in 1984 brought together the functions of a number of diverse Government operations. This is reflected in the fact that some employees, such as rangers and forest officers, have powers restricted to State Forest and national parks. With the responsibilities of CALM crossing many land categories, it is important that employees have the necessary legislative base to authorise their actions on all the land under CALM's management. The Bill therefore creates a new staff category to be known as "conservation and land management officers". The department's forest officers, rangers and wildlife officers will assume this new title in addition to their existing duties, providing limited powers over all the land managed by the department. The new staff category will not mean any increase in staff numbers, but will substantially increase

management flexibility for CALM's field staff. Honorary conservation and land management officers will also be appointed, recognising and promoting the growing public interest in our environment.

Since its creation, CALM has actively sought to promote itself as an innovative manager of land for public purposes. This Bill now seeks to encourage such innovation by providing the department with increased flexibility in management agreements and by removing problem areas in the workings of the 1984 Act. Section 16 of the Act, whereby the department is authorised to enter into agreements for management of private land for limited purposes, is to be broadened to allow the department to manage the land for a public purpose. This will allow the department, for example, to enter into agreements with public authorities and private land holders to manage land as a regional park. Additionally, it will become necessary in some areas to seek agreements with pastoralists to allow public use of small areas of pastoral leases for activities such as camping adjacent to national parks. The section 16 amendment allows CALM to manage such areas under agreement, while not in any way restricting existing pastoral activity in the managed area. Ningaloo marine park is an example of an area where such agreements are desirable.

With the approval of the Minister and the National Parks and Nature Conservation Authority, exotic trees occurring on conservation reserves will be able to be removed and sold under a licence issued by the department, under proposed section 99A of the Bill. National parks and conservation reserves created or about to be created from State forest have significant and valuable plantations of exotic trees such as yellow stringy bark and pine. The trees were planted for future timber or power pole line purposes when the areas were State forest. These trees are not part of the natural environment and are of limited value to the local fauna. The trees can be removed as necessary operations at a substantial cost, but cannot be sold. Once the exotic trees are removed, the area would be replanted back to the naturally occurring tree species, such as karri, in the case of the yellow stringy bark.

Also, subject to stringent limitations, proposed section 99A of the Bill will allow trees to be removed from conservation reserves and sold if such removal is essential. The circumstances are specified to be the construction or reopening of a public road in accordance with a management plan; the construction of fire breaks; and the removal of trees presenting a danger to the public. The removal of trees must better serve the land involved. The Act currently allows such trees to be removed as part of necessary operations, but they cannot be sold; for example, if trees are blown down across a road, they would probably need to be burnt by the department. The removal and sale of exotic and other trees as a result of essential works will require the approval of the Minister and the National Parks and Nature Conservation Authority. The proceeds from the sale of exotic trees and trees removed as part of the essential works will be required to be paid into a trust fund. The revenue obtained may be applied only to conservation reserves.

The functions of the department will be amended to include the operations of the herbarium; the promotion of the conservation of water quality and quantity on CALM land; and the promotion of recreation. The department's functions cited in section 33 will also allow constrained recreation to occur on nature reserves. The area involved will need to be classified under section 62 as a recreation area for specified activities. Classification of land under section 62 currently requires the recommendation of the National Parks and Nature Conservation Authority and the approval of the Minister. The constrained recreation to be allowed on nature reserves must not have an adverse effect on the land. This provision will have particular importance to communities such as those in the wheatbelt, where nature reserves often provide the few areas suitable for recreation and picnicking.

The Bill will extend the maximum period of leases granted on conservation reserves from 20 years to 40 years to allow a lessee to recover the costs of investment in the required high standard of facilities. This lease period will predominantly apply to national parks and is particularly applicable to parks such as Yanchep, where significant investment is required to lift the standard of the leased facilities. The Bill will re-include unvested nature reserves in the definition of this land category, overcoming a problem experienced with the 1984 Act. The definitions of nature reserves and marine nature reserves have been expanded to allow protection of features of archaeological, historical or scientific interest such as stromatolites.

Membership of the two controlling bodies established by the 1984 Act will be amended. A

person representative of Aboriginal interests will be added to the National Parks and Nature Conservation Authority, given that body's involvement with issues of Aboriginal occupancy of reserves and hunting rights. The Forest Products Council membership will be restructured to include timber union representatives.

The formal transfer of the herbarium from the Department of Agriculture to CALM has been delayed. There is consequently a need to amend the definition of herbarium botanist in the Misuse of Drugs Act 1981 to delete reference to the Department of Agriculture. The written certificates of identification in drug cases indicate the herbarium botanist is with the Department of Agriculture. If the identification certificates cannot be used, the botanist would need to make court appearances all over the State to identify drugs. With a consequential amendment of the Misuse of Drugs Act, new certificates of identification can be printed.

The final amendments I wish to cite relate to the intention to extend offences and strong penal penalties which currently apply only to State forest and timber reserves, to national parks, nature reserves, marine reserves and the new land category, conservation parks. Offences on conservation reserves are currently subject to regulations only, with the maximum penalty being \$1 000. Both penal and monetary penalties will apply. Fines have been dramatically increased to be commensurate with the penal penalties. Where the penalty will be imprisonment for one year, the monetary penalty will be \$10 000. Where it will be six months' imprisonment, the monetary penalty will be \$4 000. Premeditated offences should be significantly discouraged by the new penalties. The maximum penalties under regulations will be increased from \$1 000 to \$2 000. On the spot fines or infringement notices will be added, cutting down the department's costs associated with pursuing minor offences.

In relation to that matter, the department's objective, and mine as Minister, is not just to become involved in taking action against people who do the wrong thing in national parks and conservation reserves, but more particularly to encourage people to do the right thing. It has become very noticeable, particularly over the last year or two, that many rangers are saying that rather than being police officers on these reserves they are now being information officers advising the public how to look after these reserves in the way they should be looked after. That is a very pleasing aspect of the community's interest in the environmental matters.

The amendments sought form an integral part of this Government's ongoing commitment to the protection of our natural environment. They also continue to enhance the work which was commenced with the creation of CALM in 1985 and provide additional impetus to the incredible record of achievement which has followed in the subsequent four years. The amendments are imperative to the Government's aim to increase the size of our conservation estate and also to ensure that these reserved areas are protected for and enjoyed by generations of Western Australians.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Minson.

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Committee

The Chairman of Committees (Dr Alexander) in the Chair; Mr Parker (Treasurer) in charge of the Bill.

The CHAIRMAN: Before moving into consideration of this Bill, I have a couple of points to make for the benefit of new members so that we are clear about the procedure. The Standing Orders covering this matter can be found on pages 102 and 103 of the Standing Orders, and there is a good commentary in the "Guide to Parliamentary Procedures".

The Bill has 95 Divisions, so there is a good deal of matter to consider. As the more experienced members will realise, under each Division the debate is divided into two sections - first the general debate and then debate on the items. Debate on items clearly has to be more specific than general debate on the Division. I would appreciate, as would Deputy Chairmen, when we come to items, before we start debating them, members'

indicating to which items they wish to speak. It will not be impossible to speak on a particular item if members do not do that, but it will make the smooth running of the debate easier.

The rules for time and so on can be found under Standing Orders. Basically, members are permitted to speak once under the debate on the Division, and up to twice on any item. The length of time is to be found on page 61 of the Standing Orders. On a Division, the Minister in charge has 60 minutes, the Leader of the Opposition or the member deputed by him the same, any other member 30 minutes, and the Minister in reply 45 minutes. For the items, the Minister in charge has 15 minutes, and any subsequent period 10 minutes. Any other member has two periods on any one item, the first period 15 minutes and the second period 10 minutes.

Point of Order

Mr MacKINNON: As I understand it we now go directly to the Estimates, and go through them Division by Division. We then return to the Bill itself and go through the individual clauses we wish to discuss.

I would like your advice on the question of the revenue side of the Consolidated Revenue Fund Bill. Do we ever run into a position during the Committee stage where we can question individual revenue items, as we do with expenditure items, or is that a matter which should be covered during the second or third reading debates? The Budget papers are split into revenue and expenditure. We are now going into expenditure Divisions. Will there be an opportunity for me to ask the Treasurer questions about liquor taxes, for instances, on the revenue side as opposed to the expenditure side?

Mr Parker: This is appropriation, not revenue.

The CHAIRMAN: I am advised that basically the debate revolves around expenditure items. There is no scope for a similar debate in Committee on revenue items, though it may be possible to raise those during second reading debates. There is no provision for talking about revenue specifically under Divisions.

Committee Resumed

Division 2: Parliament, \$6 822 000 -

Mr MENSAROS: As one of the longest serving members in this place, I have often expressed concern about how things have developed in this Parliament since I have been here. In particular I point out the increasing difference between the Executive and legislative members of Parliament, and the ever increasing power the Executive, under various party Governments, and its taking over the role of the Legislature. There is a corresponding deterioration in the role of individual members of Parliament. It is not realised, particularly when the Government serves more than one term, that members of Parliament are equal in this place. However, it seems that when individual members become members of the Executive - become Ministers - almost everyone acknowledges that they are superior beings or different in some way. To my mind, they only have additional duties and responsibilities, and this should not be expressed in any other way. That is inherent in the Westminster-type Government of this State.

Even Parliament itself delegates its responsibilities and powers to the Executive arm. Sometimes it does this conscientiously but sometimes it does it unconscientiously. It thereby creates a new set of duties for the Executive. It is appropriate to talk about this now with the rather sad passing of Professor Gordon Reid. I very much appreciated what the member for Victoria Park said about Professor Reid; the member for Victoria Park quoted some of Professor Reid's observations about Parliament and the Executive. In fact, he believed, as I do, that the responsibilities of Parliament are being diminished to some extent. Some of these delegations of parliamentary power became so entrenched as time passed that they became a motherhood concept and were almost untouchable and uncriticisable. We had an example of this the other night during a debate - I tried to debate the matter in an entirely impersonal manner - on the question of whether the Government should prosecute a reported criminal offence. The immediate defence against this proposition was, "Ah, but you have an independent Electoral Commissioner. He is almost sacrosanct. How dare you bring his name into the debate? How dare you do something about it?" That was not our intention. However, I point out how a power delegated by this Parliament can create a motherhood situation which becomes an untouchable situation.

The same thing applies to the Ombudsman. Very few members would remember when that institution was introduced. It was introduced after two or three attempts by the then Labor Opposition to achieve it from the Opposition benches; when Labor came to power in 1974, Mr Tonkin introduced it. I was against that legislation and for precisely the same reason - as the member for Victoria Park mentioned - Professor Reid was against it. The Ombudsman undoubtedly does an excellent job, but he does a job which ought to be done by members of Parliament. Members of Parliament, as I said initially in respect of this Division, have become different beings in the eyes of bureaucracy as well. Members should accompany, as I did, a Congressman in America when he goes to a public office. He is treated like the Messiah. Of course the role of the Legislature and that of the Administration are separated because they are keen to be on reasonably good terms. However, I can assure members that the congressman achieves twice as much as the Ombudsman ever can. Is that not the purpose of the exercise? If there are alleged anomalies for something which ought to be better, it should be achieved. If a State Legislature or a State senator - let alone a Federal senator, who is really something - makes representations, they will be attended to immediately. I am not saying they are being dealt with in a favoured way, but they are immediately given enormous attention and all sorts of investigations are carried out. In such cases a fairly good result is achieved. That is the situation which should exist here. Even without having an Ombudsman, we, as members of Parliament, should be able to achieve that type of result. That also explains the power and responsibilities which remain with the Legislature in the United States. However, the US does not have, in any of its States, an Ombudsman. Various Westminster or semi-Westminster types of Governments on the Continent have this office of recourse, which emanated from Scandinavia.

Mr Parker: I agree there are substantial benefits to it, but the same benefits also provide some of the economic and fiscal problems faced by the US Government because of that separation.

Mr MENSAROS: Obviously. Every change, every different thing, has a problem. However, if one takes the expenditure for the next Division, the office of the Parliamentary Commissioner - although I do not want to trespass onto that matter - combined with the special Acts, that expenditure would cater for additional secretaries for members and would probably allow them to carry out the research and investigation the Ombudsman does.

There are a lot of other little usages and customs which have developed under this Government, which I think are clearly improper and almost deplorable. I sense that they must have come from possibly a Cabinet discussion or decision. If a private member - from the Opposition, I suppose - makes representations to a Minister, with few exceptions, perhaps one, the case is delayed. That is not unusual; in fact it is to our benefit, because I respond to every letter the next day and that has - by comparison - enormous electoral benefits. If the case being represented by the member appears likely to be solved successfully, the Minister, instead of writing to the member - which would be the correct thing because after all the Minister was initially approached by the member - writes to the constituent of the member. The Minister goes over the member's head to tell the constituents, "I, the Minister, am the good boy; I can do the thing for you." That can be done once or twice, but the member quickly wakes up. I am now in the habit - which I very much regret - of corresponding with my constituents to say that, "Yes, I made representations on your case to the Minister. If the representation is successful, you can expect a direct answer from the Minister because that is the tactic now used to diminish the importance of the local members, particularly when they are members of the Opposition. If on the other hand the representation is unlikely to be successful, you can expect me to tell you what happened." I think those are very bad tactics because it again differentiates between members of Parliament. Members of Parliament swear the same oath and swear to have the same duties and responsibilities; we should be equal in that regard.

I recall that during my nine years in the Ministry I did not allow a single letter to a member of Parliament, if it was not signed by me, to leave my office. I never allowed my secretary to write, "The Minister will give attention to your request", or something like that. It was simply a courtesy, but I always considered that members of Parliament were equal and deserved a personal response to a personal approach. Maybe that is not a good thing politically, but I believe it is the correct procedure.

A further unconscious delegation of parliamentary powers and responsibility is in connection

with proclamation of Bills. I will talk about this when I have the opportunity during the loan debate, but I mention it briefly because I am sure a number of members do not realise this, either in Government or in Opposition. Increasingly clause 2 of a Bill states that it will become operative when it is proclaimed. Previously that was an exception as the Bill usually was operative when it received Royal assent. Members of Parliament knew immediately when this was done as the Speaker read messages stating that the Bill had received assent. Now we do not know when the Bill is proclaimed and we have to make extensive studies; the Attorney General in answer to my parliamentary question has said that it is not easily available information. The role of Parliament, as legislators, is being delegated to the Executive because it is a discretionary decision whether a measure passed by the majority of both Houses of Parliament, having been assented to by the representative of the Queen, will become a law. It is entirely at the discretion of the Executive, and this can be abused. Some Acts of Parliament are proclaimed and some are not, and only parts of others are proclaimed. The Government does not have the same courtesy as displayed by the Governor in telling the Speaker which Bills have been assented to. The Executive should inform the Parliament in a list form stating which Bills have and which Bills have not been proclaimed. I will deal with this at more length during the loan debate.

I refer now to expenditure by Government instrumentalities and agencies. Some large Government agencies have a capital budget, exceeding the total capital expenditure, and this is not debated in Parliament because no general loan money is being used. If we wish to return to the proper use of parliamentary responsibility, some of these funds - even if only a token amount - should be put into the capital budget and loan fund by the agency which will open up its expenditure to a debate in Parliament. This should be done with agencies such as the State Energy Commission or the Water Authority, or any of the big agencies, to give Parliament an opportunity to discuss the expenditure in taxpayers' largest utilities. An example in the revenue budget is in the Ministry of the Premier and State Administration - which includes the Executive Council - and this includes a \$10 expenditure. Therefore, we can discuss the matters of the Executive Council. That probably remains because nobody thought to remove it and it is not a controversial matter. But when we are discussing capital expenditure of, not hundreds, but occasionally thousands of millions of dollars by the State Energy Commission, it is up to the system of so-called parliamentary democracy as to how the money is spent; it should be criticised, approved, have opinions expressed on it and questions asked about it.

It is possible to ask parliamentary questions, but answers are usually cumbersome. Of course, that all contributes to the assessment in the community of members of Parliament which has been very much degraded. To some extent we are the cause of that because much has been delegated to the Executive, and in many ways we protract debate in an irrelevant manner - in my humble opinion this does us no good at all, yet it is being done virtually all the time. There should be a serious endeavour to retain the respect and display the integrity of individual members of Parliament.

Another matter which justifies the complaint of all private members of Parliament relates to the use of parliamentary questions by which members seek information. Often members are simply referred by the Minister, who cannot find the information, to a source which entails tremendous research for the member who does not have sufficient staff to undertake the research and, therefore, is at a disadvantage. During the previous Liberal Government, if a question was incorrectly directed to a Minister, we had the habit of automatically sending it to the Minister in charge, who then answered it; there were no hold-ups or difficulties from the point of view of the member. Some time during the Burke administration there was a reversal of this. Often we did not know which Minister was in charge of which matter, and I recall an occasion when the official list of Ministers and their responsibilities was not published. When a question was directed to a Minister who was not in charge of the issue, they simply did not answer it; they said that the question did not belong to them. Now we have the slightly improved situation whereby a Minister to whom a question is directed wrongly says that it should be directed to another Minister. Sometimes that creates a round robin situation.

For example, I asked a question of the Treasurer about the redrafted rules regarding the submission of annual reports by various Government departments and agencies and the fact that some reports were not tabled in Parliament within the time limit allowed in the Financial

Administration and Audit Act. I was interested in the delays, which involve 12 months for some departments, nine months for others and six months for others. As this Act is under the charge of the Treasurer, I asked him whether he had any information about the late annual reports being tabled in both Houses. The Treasurer referred me to the Clerks of both Houses, and, therefore, I went to the Speaker and asked him the same question. He said that he did not have the information that I was seeking, and nor did the officers of the House. For the second time I was redirected, this time to the Premier. I asked the Premier the same question and the Premier replied by referring me to a certain question, the answer to which was to look up the Auditor General's report. Obviously, this year old report did not give me the answer I required.

Mr Lewis: They were giving you the runaround.

Mr MENSAROS: Some reports have not been tabled in time in this Parliament. There are members in this Chamber who were present when the Financial Administration and Audit Act was brought into being and who should have the opportunity of knowing how this Act is implemented. Apparently, the Executive arm of Government is not prepared to extend the courtesy to members to allow them to know how this Act is implemented.

I do not want to take much more time, and I raised these matters as the Opposition spokesman on parliamentary matters. I will expand on these comments at a later stage, and I hope that by putting these matters on the record somebody, sometime, may take notice of them.

Mr MacKINNON: I have a question to ask the Minister, if there is one in the Chamber at the moment handling this Bill. It is a disgrace that there is not one Minister present who will own up to handling this Division in the Committee debate. The Leader of the House would be better served giving attention to the debate rather than reading a newspaper. Last year under this Division, 57 people were employed by the Joint House Committee of the Parliament. This year the number is only 51. I would appreciate an explanation.

Mr STRICKLAND: I would like to take the opportunity, because I believe it is the appropriate time, to put something on the record from the perspective of a new member. In recent times a number of amending Bills have been introduced in the Parliament, and Opposition members have a limited time within which to research those Bills. That often requires a member not only to look at the amending Bill, but also to obtain from the Bills and Papers Office the parent Act along with associated amendments. I draw to the attention of members that the Bills and Papers Office has consolidated sets of amendments, but these are not printed. I ask why they are not printed. It would certainly make life a lot easier for new members if they were able to obtain a copy of the parent Act together with the amendments that have been made over a period. It is certainly difficult for new members to dovetail all the previous amending Bills into the parent Act, and it would be much simpler to have an updated copy of the legislation.

It would be very fruitful if, at the end of the life of a Parliament, all the Acts were consolidated and reprinted in order to assist new members. I do not know what it would cost, but I do not imagine it would be a great deal. It is not reasonable for a member in this place to be expected to follow the amendments that occur in the life of the Parliament and to keep legislation up to date. I ask that that matter be investigated because I believe it would facilitate the ability of new members to participate in a more effective way in this place.

I am also mindful of the situation, for example, of principals who are required to comply with the provisions of the Education Act. Do all schools have an accurate and up-to-date copy of the Education Act and amendments to it? In those cases also it would be advantageous for reprinted Acts to be available so that when people are transferred in and out they have access to updated copies of legislation applying to their situation.

Mr BLAIKIE: The comments I wish to make on the general issue of Parliament have been made by other members in the past; in the case of the former member for Welshpool, Colin Jamieson, they were made on a number of occasions. I refer to the conditions and facilities of the Parliament and Parliament House. The whole of Parliament is involved in the expenditure of funds for the Parliament. Members will certainly recall the ongoing debates that took place in the Federal Parliament and, subsequently, in the Australian Press about the expenditure of funds for a new Parliament House in Canberra. The conditions of the old

Parliament House were canvassed year after year ad nauseam, and arguments were put forward about the cost of upgrading the facilities. The facilities of the Federal Parliament are certainly fitting for an Australian Parliament; it is a building of which all Australians can be proud. Having visited the Federal Parliament on two or three occasions, I compliment the Government which made the decision to proceed with the new Parliament House for Australia - not necessarily for Canberra. Some foresight is evident in the fact that it will serve Australia into the twenty-first century. It is a building which attracts the attention of the public, and which encourages an improvement in the demeanour of all members.

Mr Pearce: It might encourage it; it does not provide it!

Mr BLAIKIE: Whether it does is another matter; I hope it does encourage an improvement in the demeanour of members. Australia has at last come of age. We have a Parliament of which we can all be proud, and the people of other countries can now visit the Australian Parliament, as we have visited the Parliaments of other countries.

That brings me to the point of condemning this Parliament House in which we are obliged to operate, which is an inadequate building to take us into the 1990s. Yesterday in Parliament House, at a Joint House Committee meeting, a proposal was outlined to add to the existing structure of the building an additional two floors. I was not able to attend that meeting, but I voice my disapproval of the proposed additions; I believe they will be simply another ad hoc addition to a building which, by the time they are completed, will still be overcrowded. I was elected to the Parliament in 1971, and the facilities then available to members were totally inadequate. The Leader of the House has already indicated that there were only two typists available to serve all members who were not Ministers. Since that time, despite improvements in technology to assist in the operations of the Parliament, the building is still antiquated and cannot cope with the demands made upon it. Today is a very humid day, and this would be one of the few public buildings in Western Australia in 1989 which is not air-conditioned. That may be all right for members, but we must consider the staff who work in the building, who do not enjoy the privileges which members enjoy. The staff are entitled to work in satisfactory conditions, but those conditions are not now being provided. We have only to walk through the various sections of the building to see the deplorable conditions under which members of the media and the Hansard staff work. The corridors in many places are filled with dog boxes, which are increasing in number throughout the building.

Mr Watt: They look like a railway carriage!

Mr BLAIKIE: They are not moving, but they are increasing. This matter has been canvassed by other members in previous years, but I raise it again and say the staff are not assisted by having to work under those conditions. The library staff are very efficient, and provide an exceptional service to members, but while there has been funding provided to ensure that the library has up to date and modern technology, the number of staff in that area has increased by 500 per cent, while the size of the library area has not increased.

I have strong concerns that by the time the proposed additions to the building are completed, they will be completely inadequate. The Government of the day must bite the bullet and look at the requirements of the Parliament in the year 2000, 2010 or 2015, and ensure that the building is improved having regard to the future growth of the State. The current population of Western Australia is 1.4 million people; by the year 2015 it is estimated that it will be about 2.7 million. I am concerned that what is being proposed is a piecemeal exercise. It is not good enough for the Government to say it is short of money, and that Parliament House is one of the areas in which it can cut its expenditure. The Government is not short of money for expenditure on the old Swan Brewery; some very substantial additions could be made to Parliament House with the \$20 million the Government is spending on the brewery.

Mr Pearce: Perhaps we can put the Legislative Council down there!

Mr BLAIKIE: No doubt that may be on the Government's agenda. It may be the Government's intention ultimately to shift the Legislative Council to that site. There needs to be a very positive approach made to the future of Parliament House, to ensure that any additions to the building are suitable and in keeping with the original design. Members will recall that six years ago additions were made to the southern section of the building; that is the corridor which has a series of members' offices, and where members of the Legislative Assembly have their afternoon tea. That corridor is almost like a Coles cafeteria.

The southern entrance becomes a through-way for people visiting members. Members have a problem when they wish to have conversations with constituents or other members. I am sure Ministers find it very difficult to find meeting places in this building when Parliament is sitting. The facilities in the ministerial room where Ministers have to deal with their constituents are pathetic. Woe betide any poor Minister who wants to have a meeting when one of his colleagues already occupies the room. Fifteen or 16 Ministers having to share one room is wrong. If a Minister were meeting a constituent or overseas visitor he would have to use the Cabinet Secretary's room but that would probably be occupied. Invariably, Ministers conduct their meetings in the Caucus room. That is unsatisfactory for visitors who meet Ministers on matters of State and not on party political matters. Ministers should have privacy when they have those meetings.

Facilities in Parliament House have been described in the past as disgraceful; they are now pathetic. It is beyond me why members put up with them. If the Government allocated X millions of dollars to upgrade Parliament House so that Western Australians could be proud of it it would receive the support of Parliament. That would avoid criticism by members of both sides of the House each year this vote comes before Parliament. The Government must plan for the twenty-first century.

Mr PEARCE: The Government has been considering extensions to Parliament House; in fact an article in today's paper indicates how extensions might look. The fact that Ministers do not have offices in this building is certainly unsatisfactory. When I was Minister for Education I did not have an office here. I used to meet deputations at the top of the stairs and walk through Parliament House until we could find a place to sit down for a meeting. That is most unsatisfactory. The Government's efforts to acquire offices in Parliament have been thwarted by the Joint House Committee which has said that it will not provide offices for the Ministers until -

Mr Clarko: If you provide offices for Ministers then you have to shunt other people around in order to accommodate them.

Mr PEARCE: It is a question of priorities. It is Cabinet's belief that Ministers' offices should be given priority over the billiard room. I know that there are some members who have a deep attachment to the billiard room. I am further told that Premier Hawke -

Mr MacKinnon: They should take priority over the gymnasium.

Mr PEARCE: I believe they should, too. When Mr Hawke was Premier he used to play billiards.

Mr PEARCE: The Government proposes to extend Parliament House. However, there are times when the Government's capital works program is constrained. There are many calls upon finance for schools, hospitals, railway lines and the like and Parliament House has to take its place in the queue. I do not know where the Leader of the Opposition got his figure from, but I understand that the Joint House employs 51 people, a decrease of one on last year's figure.

Mr MacKinnon: The Estimates for last year indicate a figure of 57.

Mr PEARCE: The note I have here says that the Joint House Committee, after adjustment for the transfer of three electoral officers to Division 4, Premier and State Administration, the 1989-90 approved average staffing level of 51 FTEs represents a decrease of one on the actual average staffing level of 52 full-time equivalent staff recorded in 1988-89 compared with an adjusted approved average staffing level of 54 FTEs for 1988-89. I can only assume that there was an increase in the numbers of officers of the Joint House Committee between the beginning of Budget last year and this year. The Government has taken a line through the average approved staffing levels of all departments and set the department staff figure according to the average rather than the approved numbers.

I did not catch the beginning of the comments of the member for Floreat so I am not in a position to respond to them.

Division 2 put and passed.

Division 3: Parliamentary Commissioner for Administrative Investigations, \$597 000 - put and passed.

Division 4: Premier and State Administration, \$16 204 000 -

Mr MacKINNON: I refer to item 3 relating to ministerial travel. I have said previously that I do not accept that the Government will not release details of ministerial travel. I have been told consistently in answers to requests for information that that is what happened when the Liberal Party was in Government and this Government will not change the situation. That is not an answer. Whatever happened in the past should not be considered the rule for the present or the future. It is time that we had a commitment from the Government on this matter. On 29 August I addressed a question without notice to the Premier.

The CHAIRMAN: Order! I have been listening to the Leader of the Opposition and it appears that he is talking specifically about item 3. There is no restriction on raising general questions about ministerial travel in a general debate. However, I suggest that he direct specific questions to the Premier when the Committee discusses specific items.

Mr MacKINNON: I want to develop the general question of ministerial travel expenses and ask for the Premier's guidance on questions to those matters. The public is entitled to know how much money is spent on such items and accountability is relevant also at the Federal level. There is no need to hide these matters from the public. To my knowledge, that happened on two occasions. First, when Mr John Brown was Federal Minister for Tourism he went on a pretty extravagant tour. The other occasion involved a familiarisation tour by Bill Hayden, prior to his appointment as Governor General. The details of each case were made public in quite elaborate detail.

It is time the Government reviewed this situation and gave clear demonstrations of accountability and commitment on a regular basis to the people of Western Australia. No-one criticises or questions bona fide ministerial overseas travel. Overseas travel is part of the parliamentary process of Government. However, it is time that the Parliament was given the opportunity to scrutinise Government accounts and the public release of information is a ministerial responsibility. When the Opposition wins office, regular reporting will become commonplace.

Mr BLAIKIE: In my 18 years in this Parliament, I have been concerned about the lack of advice given to members by Ministers when they visit members' electorates. I am not aware of what the Premier does when he visits other electorates. However, when he has visited my electorate, I have been more than satisfied with the way he has advised me of his intention to visit my electorate and the reasons for that visit. However, a number of Ministers, in particular the Minister for South-West, has visited my electorate quite frequently. I am not sure whether it is because of his enthusiasm as a junior Minister, his lack of understanding of the protocol, or whether the Premier has determined that the protocol that have applied will not apply in the future that explains his failure to inform me of his impending visits. However, I hope that the protocol continue to be applied.

Mr D.L. Smith: The Minister for South-West is in your electorate about twice a week and it is a bit cumbersome to inform you every time he is there.

The CHAIRMAN: Order! I suggest if we are going to get on to specific ministerial practices that we wait until that part of the debate.

Mr BLAIKIE: I do not intend to pursue that point but the Minister is quite untruthful in what he has said.

Members of Parliament are elected for three or four years to represent not only the people who voted for them but also other people in that constituency. Ministers should not parade through electorates when they arrange official meetings taking with them their political colleagues. Often, when I have not been present at those meetings, people have asked me why I was not present when the Minister visited. I have had to tell them that I did not know the Minister was coming. They have then said that had they realised that I did not know, they would have informed me. In not inviting local members to their meetings, Ministers are being grossly political.

In the 18 years that I have been a member I have always been advised of ministerial visits. However, in the last six months that has not been the case and the practice appears to be growing. Is this the Government's new policy? If not, why is it happening?

Mr Gordon Hill: You know it is not.

Mr BLAIE: I believe in the institution of Parliament. I believe in not only the importance of that institution but also the importance of the parliamentary system. On all occasions that I have been asked to lead deputations I have advised all members of Parliament, including members of the Legislative Council. If that protocol is to be changed that will be a sad day for this place. I would oppose those changes; the Government of the day will rue any changes made in that direction.

Protocol is important; and I thank the Premier for the courtesy he has shown. However, I remind him that some Ministers have failed deliberately in this area. Is this a policy direction? If not, will the Premier look into this matter?

Mr BRADSHAW: The allocation to the Ministry of the Premier and State Administration this year has increased considerably. In 1982-83 the allocation was \$2.434 million. I do not have specific figures but from memory the 1983-84 allocation was in the vicinity of \$3 million. The funds consumed by this department have skyrocketed over the years. The Estimates for this year approach \$16 million. Why has this increase occurred? Considering the inflation rate we would expect an increase but not one of such enormity. This increase is outrageous.

Another area of concern is the cost involved in luncheons for community groups at Parliament House on the invitation of the Government. As in the case of ministerial visits to electorates, we are not advised about these luncheons.

Mr Bridge: I invited you to my concert at Boyup Brook.

Mr BRADSHAW: That is not in my electorate. I do not recall being invited to the concert.

Community groups are invited to lunch at Parliament House at great expense to the taxpayer. We are told that these people work for the community and this is a way for the Government to thank them. That sounds very nice but I see it as a vote-buying exercise, because not one Liberal receives an invitation.

Mr Peter Dowding: That is not true; I went to a community luncheon at Pinjarra at which every member of Parliament was present. Do you cover that area?

Mr BRADSHAW: No, I do not.

Mr Peter Dowding: I have forgotten which members from your side were there.

Mr BRADSHAW: The member for Murray is Keith Read.

Mr Peter Dowding: A lot of members from your side of this House were at the luncheon.

Mr BRADSHAW: I am talking about Parliament House functions. I was not referring to functions outside this place.

Mr Peter Dowding: The member does not invite me to lunch.

Mr BRADSHAW: This is a different situation. When I invite people to lunch, I pay for them.

Mr Peter Dowding: The member has had plenty of opportunities to attend functions - when Government Ministers are engaged in activities - to which he is invited. If the member has any complaints he should raise them with me specifically.

Mr BRADSHAW: I am raising them now.

Several members interjected.

The CHAIRMAN: Order! The member for Wellington should address his remarks to the Chair; debate will then progress quickly.

Mr BRADSHAW: The Premier is trying to confuse the issue with gobbledygook, whereas I am being specific. The lunches provided in the Cabinet dining room for community groups represent a political stunt to buy a few votes. I do not know of one Liberal or National Party member who has been invited to lunch. Normally 30 to 40 people are invited to those lunches. When I have asked questions about this, I am told that these people have contributed to the community and this is a way for the Government to thank them.

Last year I recall hearing a radio station calling for people in the south west who wanted to come to lunch at Parliament House to contact a person, whose name was given, and a bus

would transport them to Perth. It was not a community group; it was an invitation to anybody in the south west who wanted to come along.

Mr Peter Dowding: Who was organising that? Maybe it was the local member.

Mr Lewis: Who was paying?

Mr Peter Dowding: Maybe the local member arranged it. Has the member for Wellington ever asked me to lunch?

Mr BRADSHAW: No.

Mr Peter Dowding: You have never asked me.

Mr BRADSHAW: I know what the answer would be.

Mr Peter Dowding: What would I say?

Several members interjected.

Mr BRADSHAW: It is objectionable that the Government goes to these lengths -

Mr Lewis: Political corruption!

Mr BRADSHAW: Of course.

The CHAIRMAN: Order!

Several members interjected.

The CHAIRMAN: Order! The member should return to general debate.

Mr BRADSHAW: Like the member for Vasse I have found that over the years the situation regarding advice of ministerial visits has become worse. Originally, Ministers did advise members when they would visit their electorates, even if that advice was received on the day of the visit. However, it is now unusual for members to be advised.

Mr Gordon Hill: Rubbish!

Mr BRADSHAW: It is not rubbish. I do not mind if the ground rule is that members will not be advised of ministerial visits, but we must know where we stand. On occasions when the Premier has been asked questions relating to ministerial visits he has advised that members will be advised by the Minister concerned.

Several members interjected.

The CHAIRMAN: Order! The member for Wellington will resume his seat. The level of cross-interjection in the Chamber is making it impossible for Hansard to record the debate with any coherence and for me to hear the line of argument. I ask members to desist from cross-interjections. Obviously there will be interjections, but if members interject at the same time it is almost impossible to hear them.

Mr BRADSHAW: The Government is feeling testy over some of the matters that have been raised because it is not playing the game according to the rules. I do not care whether we are notified of Ministers' visits, but the ground rules must be laid down. The former Premier and the current Premier have said that members would be notified of such visits and that should be the case. It is very rare for members to be notified of these visits.

With regard to the London Agency I recall that earlier this year there were rumours that the Minister for Mines - the member for Geraldton - would perhaps resign and take up the position of Agent General in London. I wonder how long the current Agent General will remain in London?

Several members interjected.

The CHAIRMAN: Order! I remind the member that Division 9 covers the London Agency and he will get a chance to debate that matter when that division is debated.

Mr BRADSHAW: In that case, I have no further matters to raise under this division.

Mr COURT: I wish to comment on this department which ties in with the operations of Cabinet and public sector management which is covered by the next division. When the former Premier came to power in 1983 there was a major revamp of the operations of the Premier's Department and of the Cabinet. It seems to me that over the years there has been a

large increase in the physical size and the number of staff involved in the operations of the Ministry of the Premier and State Administration. It would be an interesting exercise if the Premier would give an indication of the changes to his ministry since 1983. The ministry has changed and it has developed into, dare I say it, the Government's propaganda machine. I question whether it is good government to have such a large number of staff involved in the operations of the departments of the Premier and Cabinet when, in actual fact, the name of the game is that the Government should have its power base spread out with Ministers having more responsibility. There is no doubt that the Government is run from a very centralised operation.

The Government has gone too far and there is no need for the large office which has been established, regardless of whether it comes under this division or the following division. If the Premier can give the Chamber an indication of the increase in the number of staff and the increase in the costs incurred by his ministry from 1983 to 1989, it would be appreciated.

I refer now to ministerial travel and to other travel involving taxpayers' money. We often read in the Press articles outlining the costs incurred in travelling by Federal Ministers. In any Government some Ministers will travel more than others. For example, in this Government the role of the Deputy Premier requires that person to travel a great deal and the public will accept that. However, that is not to say that we cannot have a better idea as to the expenditure incurred. I think that the Premier, under his new expressed concern for the whole question of accountability regarding the expenditure of taxpayers' dollars, would willingly implement that type of system.

In the past I and other members have travelled under an imprest system which puts a limit on the amount of expenditure incurred by that travel. It has some weaknesses, but it is the fairest system to use for that type of travel. In order that the public does understand what expenses are incurred by Ministers' travel it would be a good idea if the information was not held back.

I reinforce the point that the whole concept of building up the Ministry of the Premier and State Administration has reached the point where it now has a tinge of the "Big Brother" State. It is a very powerful machine and no-one knows better than members of Parliament that the ministry has a large number of journalists and the like working in it, and they have a lot of say when it comes to how the news is reported in this State. However, members of Parliament battle away with the resources at their disposal.

Taxpayers' funds are being wasted and, in many ways, are being squandered by the way the Government has built up a self-preservation concept around the Ministry of the Premier and State Administration.

Mr PETER DOWDING: I refer first to the issue of notification by Ministers to members when they are visiting their electorates. I have made it quite clear that it is an obligation on Ministers to advise local members in the country when they intend visiting their electorates. It is a courtesy which was often not extended to me when I was in Opposition and represented the North Province. I know full well that not only was it not extended to me, but also that it was deliberately withheld at times. I remember on one occasion the Premier of the day directed his office not to tell me what he was coming to my electorate for or when he was arriving. I actually had to do a bit of detective work to find out. It was not as though that courtesy was overlooked, it was a deliberate attempt to stop me from finding out about the visit and participating in it. As a result of that, I was driving all over the place trying to find out when the plane was to arrive and what was the purpose of his visit. It was an often practised ploy by the Liberal Party when it was in Government.

It is a useful convention that Ministers tell country members when they are in their electorates. I have failed to do that on innumerable occasions because of a slip-up by my staff or for some other reason, but it certainly has not been deliberate. I am sure it is the position with all Ministers and I would want it to be the position with all Ministers.

The member for Wellington raised the issue of community lunches. I remember one lunch which was held in Pinjarra at which a number of Liberal Party and National Party members were present. One was also held at Geraldton which people attended. The Bunbury Liberal Party rent-a-crowd complained about it to me when I was on a radio talkback show and I made it clear that it was important for Cabinet Ministers to have the opportunity when in

country towns to do that. The very Liberal Party members who were whipping up the rent-a-crowd to make the phone calls were in attendance at the community lunch. I do not accept that the criticism is justified.

As to the issue of bringing delegations to see Ministers, or bringing people up from the country and wanting some special provision for them from Ministers, if the member has not tried it he does not know what the result would be. I do not know how I would react if he asked me. If he had a group of people here and asked me to host an afternoon tea for them I would do it. In fact, I have done it.

Members should know that there are many occasions when members on the opposite side have people from overseas with them and want special treatment to which we agree; these things do happen. Obviously, we have a role as politicians as well as members of the Executive, and I think that we, by and large, balance it reasonably well. That was not the case when members opposite were in power. When the member for Gascoyne was Minister for Housing he would not tell me what was happening in my electorate when I asked and he actually forbade senior members of the State Housing Commission in the area having intercourse with me at all. I was forbidden from talking to them for no better reason than the politics of it all. I hope we present a different face.

Mr Lewis: That does not happen under your Government.

Mr PETER DOWDING: It is getting late, so the member for Applecross should tighten his nuts and belt up for a little while. I hope that is not the way we have treated members opposite in Opposition and I hope that we continue to be open to people from all sectors of the community. The member for Cottesloe brought a delegation to see me not long ago. There are no two members perceived as being more poles apart politically than the member for Cottesloe and me. It was quite different when members opposite were in Government as they excluded us from all sorts of things.

Mr MacKinnon: Rubbish!

Mr PETER DOWDING: The Leader of the Opposition should not say "rubbish" because when I was appointed Minister responsible for energy matters I invited him to come and have a briefing, something he had never done when in Government. In fact, he had prevented senior Government officers from responding to our correspondence - it had to go through the Minister's office; that was a directive.

Mr MacKinnon: That is what happens with you.

Mr PETER DOWDING: That is not true at all; certainly not in my areas. I make quite clear that I think there is a role for cooperation at some levels. I hope it is in place. Many members have asked me for things. The Leader of the Opposition asked me for something in relation to his travel arrangements and I was happy to accommodate him. I did not make a fuss about it, or go on about accountability; I did not talk to the community about how much it was costing them; I thought it was a fair proposition, so I agreed to it. I am quite confident that we will maintain the same attitude during the balance of our term in office over the next three and a bit years and after we are re-elected at the next election.

The issue raised by the Leader of the Opposition and the Deputy Leader of the Opposition about ministerial travel comes back to the same thing: In the end Ministers have to do a whole range of things which have levels of confidentiality attached to them. The Leader of the Opposition knows that because he was a Minister and knows that accountability is achieved through the auditing process and through this process. I do not see any evidence at all advanced by the Leader of the Opposition that things should be changed from when he was a Minister. I do see problems in the change because members opposite would say, "This was confidential. Why was this confidential? This is not confidential, but this bit is. Why is it confidential?" Immediately that sort of thing starts it interferes with the confidentiality of operations. If the Leader of the Opposition can show me what changed between the end of 1974 and 1981 I will give that consideration, but there are reasonable grounds for saying that nothing has changed. There are good reasons for doing these things and we achieve accountability in other ways.

Finally, I will deal with the issue of size. There is no question that the business of Government has become much more complex; for the same reason the staff of the Leader of the Opposition is massively greater than we were ever allowed in Opposition. Members

opposite should remember that when they were in Government they would not even let Ron Davies have a telex machine.

Mr Kierath: We are talking about 1989. You always go back to some time in the past.

Mr PETER DOWDING: It is a relevant thing. When Ron Davies was Leader of the Opposition members opposite would not let him have a telex machine, not even when he offered to pay for running it out of his own funds.

Mr Court: You would not let him stay leader.

Mr PETER DOWDING: The Opposition has had a lot of changes since then, brother.

Mr Clarko: You have had a few.

Mr PETER DOWDING: And members opposite are desperate to have another one shortly. When members opposite have put in for extra staff we have recognised that burdens have increased. We have been very responsible in the way this has been put together. My office now has a whole range of extra responsibilities and members will see as we work through the divisions that they have been balanced against other areas. The proof of the pudding is the fact that the growth in the public sector has been remarkably restrained. Members opposite, when in Government, could not tell us how many people worked in the public sector. It has been a huge effort for us to get the PIM system in place. I am assured that by August next year it will not only be in place but will include the payroll system as well. There is a short term bubble with the number of people employed on that, but it will result in a considerable reduction overall.

Members opposite never were prepared to grapple with the sorts of reforms we have been prepared to grapple with in Government. That is an indication of our willingness to try to limit the size of the public sector. I have two Press officers in my office now who are absolutely flat strap with media requests and are not pushing anything out. We have built a responsible department. It is not blowing out in size; as members will see from other divisions, we have actually taken resources from other areas for the jobs that we have taken over. That is the reduction in the public sector, so I can say we have been responsible and that is reflected in these accounts and is the reality of the matter.

Progress

Progress reported and leave given to sit again, on motion by Mr Parker (Treasurer).

SPEAKER'S RULING - HERITAGE ENHANCEMENT AND PRESERVATION BILL

Italic Type Clauses - Out of Order

THE SPEAKER (Mr Barnett): I draw members' attention to the Heritage Enhancement and Preservation Bill which was introduced into this House earlier today. If members would care to study the Bill, they will see that it is particularly novel in certain respects. I refer in the first case to the note which appears on the front of the Bill. This note says -

Clauses printed in *italics* are not part of the Bill and appear in this print for information purposes only. . . the clauses will require insertion by way of amendment in the Legislative Assembly.

Within the Bill are several clauses which are printed in *italics*. These clauses refer to the financial provisions of the proposed legislation. Members will all be aware that section 46 of the Constitution Acts Amendment Act directs the relative powers of the two Houses in respect of financial legislation. Subsection 1 of section 46 says that -

Bills appropriating revenue or monies or imposing taxation shall not originate in the Legislative Council.

Subsection 8 of the same section requires that Bills appropriating revenue have to be recommended by Message of the Governor to the Legislative Assembly.

I am somewhat perturbed that a practice entirely new to this Parliament has been adopted in this particular case. While a somewhat similar practice has applied in the past in transactions between the House of Lords and the House of Commons, I can find nothing in either the Constitution or the established practices of 99 years in Western Australia to support the type

of approach being taken by the Legislative Council on this occasion. Relations between the House of Commons and the House of Lords in these matters are governed by the Parliament Act of 1911. That Act makes it clear that ultimately the will of the House of Commons must take precedence over the desires of the Lords. There is no such provision in our Constitution Act. There remain for the Legislative Assembly some particular initiatives in respect of financial Bills; otherwise the two Houses have equal powers in respect of Bills.

My own view is that the Assembly must guard extremely jealously its privileges in respect of money Bills. While the House may be prepared to consider Bills wherein clauses are printed in italics to show that they do not have any effect, in my view this could become a dangerous practice and one which may eventually lead to the complete disappearance of the Legislative Assembly's privileges.

A Bill whose provisions can only be put into effect if certain amendments are made to insert financial provisions creates, in my view, the possibility of the type of manoeuvre referred to in some rulings as a "contingent liability" - in other words the Assembly agreeing in principle to the appropriation of revenue and thereby placing pressure on the Executive to seek a Message from His Excellency, the Governor, for the necessary appropriations.

If a Bill containing similar provisions were to be introduced in this House, I would feel bound by the words of the Constitution, together with established practices of this House, to rule that such a Bill required a Governor's Message. In such a case the Bill would stay at the foot of the Notice Paper until such a Message was received.

The difficulty with this particular Bill is that the provisions I am talking about are printed in italics with the legend on the front of the Bill warning me that those provisions have no effect. In my view such a Bill is not properly before the House and I direct that it be struck off the Notice Paper.

MR MacKINNON (Jandakot - Leader of the Opposition) [5.34 pm]: Thank you for your ruling, Sir, which I do not dispute. I merely explain that Hon Phillip Pendal, who introduced this Bill in another place, indicated to me that he prepared this Bill on the advice of the Clerk in the Legislative Council in the belief that it was in order, and was not in any way trying to upset your ruling or the standards or principles of the Parliament. I merely report that to you, Sir, in the light of your ruling.

The SPEAKER: I am grateful to you for that contribution.

[Questions without notice taken.]

ADJOURNMENT OF THE HOUSE - SPECIAL

On motion by Mr Pearce (Leader of the House) resolved -

That the House at its rising adjourn until Tuesday, 14 November at 2.15 pm.

House adjourned at 6.01 pm

QUESTIONS ON NOTICE

ORCHIDS - "DIURUS PURDEII"

Rare and Endangered Species - Canning Vale Site

792. Mr KIERATH to the Minister for Conservation and Land Management:

- (1) Is the orchid, *Diurus purdeii*, listed as a rare and endangered species of plant?
- (2) Does this plant occur at the Ranford Road site in Canning Vale?
- (3) How many of the known plants in existence occur on this site?
- (4) How many plants are known to exist?
- (5) How many other known sites are there where *Diurus purdeii* occurs and approximately what are its populations?
- (6) Have there been any successful large scale transplantings of *Diurus purdeii*?
- (7) Have there been any successful large scale transplantings of any Western Australian native orchids and, if so, when and where were they, and what species were they?

Mr TAYLOR replied:

- (1) Yes. The orchid species *Diurus purdeii* is declared rare flora under the Wildlife Conservation Act 1950.
- (2) Yes.
- (3) About 1 300.
- (4) About 2 200.
- (5) Apart from Canning Vale, there are five other known sites where *Diurus purdeii* occurs. There is one population at each site.
- (6)-(7)

The developers of the Ranford Road site have agreed to provide \$70 000 to facilitate research into the transplanting of *Diurus purdeii*. Scientists at Kings Park and at Department of Conservation and Land Management and consultant botanists are presently studying how best to transplant the orchid. The orchid has been propagated at Kings Park, and the symbiotic root fungus to which the plant is related has been isolated successfully. Research into mass in vitro germination is proceeding. If no attempts are made to transplant the orchid from Ranford Road, the plant population could be threatened by weed invasion, people and burning.

STATE FINANCE - CAPITAL WORKS PROGRAM

Schools - Covered Areas Facility

849. Mr MacKINNON to the Minister for Education:

- (1) What schools were provided with covered areas that totalled \$1 674 711 in 1988-89?
- (2) Which schools are expected to be given this facility for the expenditure totalling \$358 000 as listed in the Capital Works Program for the year ending 30 June 1990?

Dr LAWRENCE replied:

- (1) The \$1 674 711 is made up of two amounts: A carry over figure of \$473 433 for the completion of covered areas commenced from funds made available in the 1987-88 Budget at Wattleup, Waggrakine, Bramfield Park, Beckenharn, Gwynne Park and Falls Road Primary Schools, and \$1 201 278 allocated in the 1988-89 Budget to commence covered areas at Adam Road, Cooinda, Byford, Darlington, Mt Tarcoola, Cassia, High Wycombe, Karrinyup, Coolbinia and Safety Bay Primary Schools.

- (2) The \$358 000 is the amount which will be expended from the 1989-90 Budget to complete the covered areas at the schools listed in (1) above which were commenced from the funds allocated in the 1988-89 Budget.

MOTORCYCLES - NOISE EMISSION

Limitations - Resident Action Avenues

1013. Mr KIERATH to the Minister for Police and Emergency Services:

- (1) Are there limitations imposed on the noise level emitted from motorcycles?
- (2) If yes, what are the limits?
- (3) How is it decided if noise coming from a motorcycle is excessive?
- (4) Who enforces the limits?
- (5) What avenues of action are available to a resident if a neighbour's motorcycle emits excessive noise?

Mr TAYLOR replied:

- (1) Yes.
- (2) The limits are contained in the Vehicle Standards Regulations 1977 which are made under the Road Traffic Act 1974. The relevant provisions are -
 - (a) that appliances fitted to vehicles' shall conform to the regulations, shall be serviceable and shall be in such a condition so as to be unlikely to occasion unreasonable annoyance: regulation 106(1);
 - (b) that, where required by the regulations, all motor vehicles shall comply with the Australian Design Rules at all times: regulation 106(2) and (3);
 - (c) that a motor vehicle shall have an efficient silencing device fitted to the engine so as to prevent the creation of undue noise: regulation 1008; and
 - (d) that motorcycles manufactured on or after 1 July 1974 must comply with the Australian Design Rules: regulation 1009(2) and (3).
- (3) It is a matter for an individual member of the Police Force to decide whether he considers that the noise emitted is excessive. This is accomplished by listening to the noise.
- (4) It is the responsibility of the police to enforce the Vehicle Standards Regulations 1977 in relation to traffic on roads.
- (5) If the vehicle is being used on a road, the person may contact the Police Force. If the vehicle is on private property, the local authority may be contacted. In addition, common law remedies may be available.

EMERGENCY SERVICES - KWINANA INDUSTRIES EMERGENCY MANAGEMENT SYSTEM

Stage 2 Development - Funding Allocation

1224. Mr WATT to the Minister for Police and Emergency Services:

- (1) What funding was originally required by or allocated for development of stage 2 of the Kwinana Industries Emergency Management System (KIEMS)?
- (2) Has that funding been delayed or cancelled and, if so, why?
- (3) What are the Government's intentions with respect to KIEMS?
- (4) (a) Is KIEMS designed to involve the use of high technology and, if so, to what extent; and
(b) if not, why not?
- (5) Which State Government departments and agencies were represented in the major urban disaster study, involving the Kwinana area, carried out by the Natural Disasters Organisation of the Federal Department of Defence in 1986?

- (6) Who represented those departments and agencies?
- (7) Are any of those persons still employed by the Government and, if so, in what capacities?
- (8) (a) Has the study report been referred to the three local government authorities - namely, Cockburn, Kwinana and Rockingham - in the Kwinana region; and
(b) if not, why not?
- (9) Has a study been carried out as to the possible consequences of a worst case scenario accident involving the planned 30 000 tonne ammonia storage tank or a ship discharging bulk supplies of ammonia for Kwinana industries?
- (10) If not, is the Government prepared to initiate such a study?

Mr TAYLOR replied:

- (1)-(2) Cabinet has approved \$250 000 for consultancy fees and additional staff required from within the existing staffing levels of the participating agencies. an amount of \$155 000 is to be found from within departmental budgets for operating expenses.
- (3) KIEMS will proceed.
- (4) (a)-(b) KIEMS stage 1 report identified the areas to be addressed in the development of KIEMS stage 2. As stage 2 has not been completed this phase is expected to assess and incorporate, where necessary, all available technology and counter disaster management techniques.
- (5) The Western Australian Government was represented by -
 - (a) Police Department;
 - (b) Western Australian State Emergency Service;
 - (c) Department of Community Services;
 - (d) Health Department;
 - (e) State Energy Commission; and
 - (f) Western Australian Fire Brigade Board.
- (6) The representatives attending were -

(a) Police Department	- Inspector R. Hamilton;
(b) WASES	- Chief Supt R. Sparks;
	- Mr L. Butler;
(c) Department of Community Services	- Mr G.J. Bowler;
(d) Health Department	- Dr W. Beresford;
(e) State Energy Commission	- Mr J.W. Freeman; and
(f) WA Fire Brigade Board	- Asst Chief Officer R. Hall
- (7) The following remain in the employ of the Government -
 - (a) Inspector R. Hamilton, now Superintendent Hamilton, is now Officer in Charge of the Emergency Operations Unit;
 - (b) Mr G. Bowler, as Director, North Metropolitan Region, Department of Community Services; and
 - (c) Dr W. Beresford, as Medical Administrator, Surgical Services, Royal Perth Hospital.
- (8) (a) Yes.

- (b) Not applicable.
- (9) Yes.
- (10) Answered by (9).

**CONSERVATION AND LAND MANAGEMENT DEPARTMENT - RUDALL RIVER
NATIONAL PARK**

Tracks - Usage Restrictions

1287. Mr MacKINNON to the Minister for Conservation and Land Management:

- (1) Does the Department of Conservation and Land Management intend to limit the use of tracks into the eastern part of the Rudall River National Park?
- (2) If so, on what basis is the use of those tracks to be limited?
- (3) Who will authorise individuals, companies or groups to use those tracks?
- (4) What conditions will be applied to those groups in the use of those tracks?

Mr TAYLOR replied:

- (1) Yes. My predecessor approved limitations to access into two Aboriginal communities at Punmu and Pamgurr-Cotten Creek - because some tourist groups had been driving through them, often unwittingly. In one case, a party had behaved with an unreasonable lack of respect for the privacy of the Aboriginal residents. Subsequently the Aboriginal communities asked for their privacy to be protected through limitations to access, and this was approved.
- (2) Authorised groups may use the tracks, including people needing to visit the communities and mining companies which have interests in the eastern part of the park. Access for mining companies would be dependent on recommendations adopted by the Government arising from the social impact study which is being currently considered.
- (3) People wishing to visit the Aboriginal communities should organise their visit through the Western Desert Puntukurnupuma Aboriginal Corporation. Access for other groups into the area should be organised through the Department of Conservation and Land Management.
- (4) Conditions would be negotiated on an individual basis. A management plan for the park is currently being prepared and questions of longer term access will be addressed in this plan.

BUNBURY REGION PLAN - MINISTERIAL SUPPORT

Boyanup - Noxious Industry Proposals

1292. Mr BRADSHAW to the Minister for Economic Development and Trade:

- (1) Does the Minister still support the Bunbury region plan he endorsed in March 1987?
- (2) If not, why not?
- (3) If so, why is the Minister supporting two proposals to site noxious industry in Boyanup?
- (4) Bearing in mind the comments on pages 91 and 92 of the Bunbury region plan, can noxious industry be placed in Boyanup?
- (5) Bearing in mind the comments on pages 95 and 96 of the Bunbury region plan, should any decision to rezone Boyanup as suitable for noxious industry be made by State Government and then only after a full environmental impact study has been made?

Mr GRILL replied:

- (1) Yes, the Bunbury region plan is not intended to be a static document, nor is it a statutory document. I am aware that the Bunbury region plan is currently being reviewed.
- (2) Not applicable.

- (3) No noxious industry is proposed for Boyanup. A rezoning plan has been made for a tannery to be located within the Capel Shire, seven kilometres south of the Boyanup townsite and seven kilometres south of the Bunbury region plan boundary.
- (4) Pages 91 and 92 of the technical report which accompanies the policy statement released in October 1987 refers to the Boyanup-Capel corridors as being not suitable for heavy and noxious industrial growth. It is Government policy to recognise Boyanup as a service centre and part of an urban growth corridor linking Bunbury and the Boyanup townsite - policy statement, page 64.
- (5) Pages 95 and 96 of the technical report set out the process by which the Bunbury region plan is reviewed. It is Government policy that periodic reviews be undertaken whenever necessary but in any event within five years. It is important to recognise that the town of Boyanup is not being considered for rezoning to heavy or noxious industrial uses. Policy statements in the Bunbury region plan do not extend south of the Boyanup townsite.

SUPPLY ACT - GOVERNMENT GRANTS
Cessation

1317. Mr COWAN to the Treasurer:

When will the moneys granted to the Government by the Supply Act 1989 run out?

Mr PARKER replied:

Provided the appropriation Bills are passed in accordance with the long standing Westminster traditions established in Western Australia, this issue will not arise. Because of the totally unprecedented hypothetical nature of such a situation - that is, the Government having to rely on the Supply Act - it is not possible to say with any precision when moneys granted under the Supply Act 1989 would be expended.

HEALTH - LEMNOS HOSPITAL
Patient Relocation - Family Notices

1357. Mr HASSELL to the Minister for Health:

- (1) Were notices sent out to people with relatives in Lemnos Hospital advising them of the possibility of the relocation of patients into hostels?
- (2) If so, why?
- (3) What exactly are the plans envisaged for Lemnos Hospital?

Mr WILSON replied:

- (1) Yes, notices were sent out to relatives advising them that it was possible that in the light of their relative's condition and ongoing needs Lemnos Hospital might seek to place them in accommodation more appropriate to their situation.
- (2) The needs of patients change over time. In particular, with increasing age, physical rather than psychiatric disabilities may become the predominant problem. Lemnos is not able to provide intensive nursing care for people with major physical disabilities and must, therefore, arrange for transfer of such patients to more appropriate facilities.
- (3) Lemnos has developed a longer term rehabilitation hostel for elderly people with psychiatric disorders. There are no alternative plans for it at this time.

CRIME - MILL POINT, SOUTH PERTH
Vandalism and Theft - Upsurge

1432. Mr GRAYDEN to the Minister for Police and Emergency Services:

- (1) Is the Minister aware -

- (a) that there appears to have been a marked upsurge in vandalism and theft in the Mill Point, South Perth area in recent months;
 - (b) on one night in September, 14 vehicles were broken into and damaged or stolen; and
 - (c) residents believe that a particular group of young people are responsible for the vandalism and theft?
- (2) Do reports to the South Perth Police Station confirm an upsurge of crime in the Mill Point area?
- (3) If so, is the Police Department having any success in apprehending those responsible?

Mr TAYLOR replied:

- (1) (a) Although there has been no marked upsurge in the offences outlined, the levels of these offences are cause for concern.
 - (b) On 10 October last, 10 offences involving theft from or damage to motor vehicles were reported from these areas.
 - (c) No.
- (2) No, see (1)(a).
- (3) South Perth police have, during the past 10 weeks, succeeded in arresting 30 individuals for a range of offences including stealing, damage/theft from motor vehicles and breaking and entering.

FORESTRY - DIEBACK

State Forests and Timber Reserves - Occurrence and Severity Maps

1433. Mr WATT to the Minister for Conservation and Land Management:

- (1) Further to question 16 of 1974 -
 - (a) has the State Government compiled maps showing the extent and severity of *Phytophthora* dieback in State forest and timber reserves, and what is their currency; and
 - (b) could copies be tabled for the information of members?
- (2) (a) What is the state of knowledge of distribution and severity of *Phytophthora* dieback - including *Phytophthora cinnamomi* and *Phytophthora citricola* - in the State, outside of State forests and timber reserves;
 - (b) has a report been compiled and, if so, would the Minister table a copy;
 - (c) whose responsibility is it to compile such information; and
 - (d) if no such report has been compiled, what steps are in progress to have such an assessment made and when is information likely to be available for public benefit?
- (3) For the information of members, could the Minister table a plan similar to paper No 381 tabled in the Legislative Assembly on 11 September 1975, which includes all reserves administered by the Department of Conservation and Land Management in the *Phytophthora* risk region of the State?

Mr TAYLOR replied:

- (1) (a) Yes, of varying degrees of currency.
 - (b) It may be possible.
- (2) (a) *Phytophthora* infections are serious in a number of national parks and nature reserves in the south west. Extensive ground reconnaissance by trained interpreters from the Department of Conservation and Land Management has been carried out.
- (b) internal reports by the Department of Conservation and Land Management have been completed, but are not suitable to be tabled.

- (c) The Department of Conservation and Land Management.
- (d) See (2)(a). The department has produced a considerable number of brochures, publications and articles to educate the public on dieback.
- (3) Many of the reserves are very small and could not be shown on a plan of reasonable scale. However, I will discuss the possibility with the department.

FORESTRY - DIEBACK

National Parks - Phytophthora, cinnamomi and citricola

1435. Mr WATT to the Minister for Conservation and Land Management:

- (1) Further to questions 8 and 9 of 1975, which national parks are now known to be infected by -
 - (a) *Phytophthora cinnamomi*; and
 - (b) *Phytophthora citricola*?
- (2) Which conservation and recreation reserves vested in the National Parks and Nature Conservation Authority are known to be infected by -
 - (a) *Phytophthora cinnamomi*; and
 - (b) *Phytophthora citricola*?
- (3) Approximately how many nature reserves in each of the Department of Conservation and Land Management regions of south coast, southern forest, central forest, northern forest, metropolitan, wheatbelt and Greenough are known to be infected by -
 - (a) *Phytophthora cinnamomi*; and
 - (b) *Phytophthora citricola*?
- (4) (a) What is the extent and severity of *Phytophthora* infection in the State's national parks, conservation and recreation (5g) reserves and nature reserves;
- (b) has the Department of Conservation and Land Management carried out an assessment of *Phytophthora cinnamomi* and *Phytophthora citricola* occurrence on a broad acre basis of the above reserves of the calibre developed for State forest;
- (c) what remedial and management action has the department taken in regard to known infected areas; and
- (d) what remedial and management action has the department taken in regard to reserve areas thought to be infected or at risk?

Mr TAYLOR replied:

- (1) (a) Cape Arid, Cape Le Grand, Fitzgerald River, Stirling Range, Porongurups, Tomdirrup, West Cape Howe, William Bay, Hassel, Walpole-Nornalup, D'Entrecasteaux, Frankland, Leeuwin-Naturaliste, John Forrest, Lesmurdie, Serpentine, Moore River, Avon Valley and Watylunga National Parks.
- (b) A number of parks in the Greenough, forest regions and south coast region are known to have infections of *Phytophthora citricola*
- (2) Of the major conservation and recreation reserves, Lane Pool Monadnocks and Serpentine are known to be infected by *Phytophthora cinnamomi*.
- (3) Not known, as there are about 900 nature reserves vested in the National Parks and Nature Conservation Authority.
- (4) (a)-(b) See (2)(a) in the answer to question 1433.
- (c)-(d) See (5) and (6) in the answer to question 1353.

FORESTRY - DIEBACK

State Energy Commission - Precaution Training Sessions

1437. Mr WATT to the Minister for Fuel and Energy:

- (1) To what extent have field staff of the State Energy Commission of Western Australia been acquainted with the potential to introduce and spread *Phytophthora* dieback -
 - (a) along roadsides;
 - (b) in conservation reserves;
 - (c) in State forest; and
 - (d) adjacent to susceptible crops, as on wildflower farms and protea farms?
- (2) (a) How many field staff have been involved in special training sessions relating to *Phytophthora* dieback; and
 - (b) are further training sessions planned?
- (3) What instructions are given to casual staff and contractors regarding *Phytophthora* dieback precautions concerning -
 - (a) roadsides;
 - (b) conservation reserves;
 - (c) State forest; and
 - (d) susceptible crop areas?

Mr CARR replied:

- (1) SECWA engineers, supervisors and foremen are aware of and comply with all conditions placed on SECWA works by both the Department of Conservation and Land Management and the Department of Agriculture to control the spread of *Phytophthora* and other noxious weeds. SECWA has produced a specification in cooperation with CALM for line works in all areas. This specification makes specific reference to the control of *Phytophthora*. This document is used as a guide by all SECWA staff involved in power and gas supply works.
- (2) Two training programmes devoted to SECWA staff were run by the Department of Conservation and Land Management in Bunbury. The first was in 1985 and the second in 1988. Approximately 40 officers attended these courses. They covered -
 - Disease mapping.
 - Hygiene control methods.
 - Line route selection and planning.
 - Vehicular plant wash down.
 - Field inspection of disease areas.
 Further training courses are intended.
- (3) Contractors and casual staff working on SECWA's power and gas supply lines are employed and directed by responsible SECWA officers to comply with all special conditions imposed by relevant authorities to control the spread of *Phytophthora*.

FORESTRY - DIEBACK

Local Government - Precaution Training Sessions

1440. Mr WATT to the Minister for Conservation and Land Management:

- (1) To what extent have local government authorities been acquainted with the potential to introduce and spread *Phytophthora* dieback -

- (a) along roadsides;
- (b) in State forest; and
- (c) in conservation reserves?
- (2) (a) What training sessions have been arranged for local government field staff concerning *Phytophthora* dieback precautions; and
- (b) what consideration is being given to hold such sessions or holding further training sessions?
- (3) To what extent has Telecom Australia been acquainted with the potential to introduce and spread *Phytophthora* dieback -
 - (a) along roadsides;
 - (b) in State forest; and
 - (c) in conservation reserves?
- (4) What knowledge has the Minister or the Minister's department of any training given to Telecom field staff regarding *Phytophthora* dieback precautions?

Mr TAYLOR replied:

- (1) Close liaison has been maintained with local government operating on or near lands managed by the Department of Conservation and Land Management. The roadside conservation committee has also been active in this field.
- (2) Training sessions have and will be held as the need arises.
- (3) Liaison has been maintained over several years with Telecom operating on or near lands managed by the department.
- (4) Training sessions have and will be held as the need arises.

FORESTRY - DIEBACK

Mines Department - Precautionary Training Sessions

1441. Mr WATT to the Minister for Mines:

- (1) To what extent have Mines Department administrative staff been acquainted with the potential to introduce and spread *Phytophthora* dieback -
 - (a) in conservation reserves; and
 - (b) in State forest?
- (2) To what extent have Mines Department field staff - including geologists and inspectors - been acquainted with the potential to introduce and spread *Phytophthora* dieback -
 - (a) in conservation reserves; and
 - (b) in State forest?
- (3) Have any training sessions on the topic been held and are any planned?
- (4) What special conditions apply to people intending to or actually entering to peg and apply for mining tenements in -
 - (a) conservation reserves;
 - (b) State forest; and
 - (c) proposed conservation reserves the subject of Environmental Protection Authority Red Book proposals
 regarding *Phytophthora* dieback precautions?
- (5) To what parts of the State do the above special conditions apply?
- (6) (a) What standard conditions are imposed on applicants having pending tenements, with regard to *Phytophthora* dieback precautions; and
- (b) what standard conditions are imposed on the holders of approved mining tenements, with regard to *Phytophthora* dieback precautions?

Mr CARR replied:

- (1) Through a long association and interaction with both the Environmental Protection Authority and the Department of Conservation and Land Management, the administrative staff of the Mines Department is fully aware of the potential to spread and introduce *Phytophthora* dieback in conservation reserves and State forests.
- (2) All field staff likewise are fully aware of the problems, once again through a long history of interaction with officers of the authorities mentioned in (1).
- (3) Ongoing interdepartmental discussions on the subject are conducted.
- (4)
 - (a) Pegging on Class A conservation reserves requires the consent of the Minister responsible for the reserve and the Minister for Mines. By condition, vehicles and equipment are required to be washed down to CALM requirements where necessary.
 - (b) Pegging in State forest must be carried out in accordance with such conditions and restrictions as are prescribed pursuant to section 128 (1) (h) of the Conservation and Land Management Act.
 - (c) None, unless they are within State forest.
- (5) All of the State.
- (6) All applications are referred to the responsible Minister and conditions imposed as requested by him on advice from the Environmental Protection Authority and the Department of Conservation and Land Management. A typical condition imposed in respect of dieback is -

The licensee washing down and cleaning all rigs, vehicles, tools and other equipment to the standard required by the District Manager, CALM, prior to and on each occasion any such equipment, rig, vehicle or tool is brought onto or taken from the licence area. All sampling equipment to be cleaned between samples to the standard required by the District Manager, CALM.

FORESTRY - DIEBACK

Stirling Range National Park - Extent and Impact

1442. Mr WATT to the Minister for Conservation and Land Management:

- (1) What is the known extent and impact of *Phytophthora* dieback in the Stirling Range National Park?
- (2)
 - (a) What is the present state of progress of preparation of a dieback protection plan for the Stirling Range National Park;
 - (b) when did work commence on its preparation and when is it anticipated that such a protection plan will be complete and be implemented; and
 - (c) what interim management guidelines have been developed for the national park and to what extent have they been put in place?
- (3)
 - (a) What has been the nature of requests for cooperation to prevent *Phytophthora* spread in the national park to the Main Roads Department, each shire council involved, the local bush fire brigades and other agencies; and
 - (b) in what respects has full cooperation not been provided?

Mr TAYLOR replied:

- (1) The disease is widespread and the impact is high in some places.
- (2) Interim guidelines for necessary operations have been prepared and are being implemented.
- (3)
 - (a) Close liaison has been maintained with the Gnowangerup Shire over upgrading of roads in the park. Other agencies have also been requested to maintain machinery hygiene and to time their works programs to minimise the spread of the disease.

- (b) None known.

FORESTRY - DIEBACK

National Parks and Reserves - Aerial Photographs, Map Production

1443. Mr WATT to the Minister for Conservation and Land Management:

- (1) Since 1985, how many national parks and other reserves have been aerial photographed for the production of dieback maps?
- (2) To what extent does the Department of Conservation and Land Management provide an identification service to other Government agencies regarding *Phytophthora* occurrence?
- (3)
 - (a) Which branches of the Department of Conservation and Land Management have been involved with *Phytophthora* research since 1985;
 - (b) who have been the research team leaders since 1985 and in each year how many research staff have been involved; and
 - (c) has a replacement for J. Tippet been made?
- (4)
 - (a) How many species of native flora are at present officially declared rare; and
 - (b) what percentage are considered to be susceptible to *Phytophthora* infection?

Mr TAYLOR replied:

- (1) Sample photography has been obtained over eight areas.
- (2) Provided as required.
- (3)
 - (a) Research Branch.
 - (b)

1985-1987	:	Dr B. Shearer and Dr J. Tippet
1987	:	Dr Tippet
1988-1989	:	Dr B. Shearer.

The equivalent of 15 persons were involved as contract staff or staff positions over this period, except in 1987 when there were 14 persons.
 - (c) Yes.
- (4)
 - (a) 238.
 - (b) The percentage is not likely to greatly differ from that of the State's flora in general.

FORESTRY - DIEBACK

Threat, Main Species - South Coast, Forest, Metropolitan and Greenough Regions

1444. Mr WATT to the Minister for Conservation and Land Management:

- (1) What are the main species of *Phytophthora* that are presently known to pose a threat to the State's native flora in the Department of Conservation and Land Management's south coast, forest, metropolitan and Greenough regions?
- (2) What consideration is being given by CALM to develop a dieback protection plan for national parks and native reserves in the Forrest, metropolitan and Greenough regions?

Mr TAYLOR replied:

- (1)

Phytophthora cinnamomi
Phytophthora citricola
Phytophthora cryptogea
Phytophthora drechsleri
Phytophthora megasperma var *megasperma*
Phytophthora megasperma var *sojae*
Phytophthora nicotianae var *parasitica*.

- (2) Dieback protection is included in the published management plans for the department's three forest regions and is also included in specific area management plans for the three regions. A prepared dieback protection plan for the Greenough region is being revised and a plan is being prepared for the metropolitan region.

CRIME - BREAKING AND ENTERING

Western Australia - Statistics

1449. Mr MENSAROS to the Minister for Police and Emergency Services:

What are the recorded figures for breaking and entering for the past five years in Western Australia?

Mr TAYLOR replied:

	1983-84	1984-85	1985-86	1986-87	1987-88
Total	23 371	26 777	29 447	34 841	34 386

1988-89 figures form part of the commissioner's annual report, which has yet to be tabled in Parliament. These figures are available in the Police Department's annual reports.

ASEA BROWN BOVERI PTY LTD - DERAS PTY LTD

Connection Details

1461. Mr BRADSHAW to the Minister for Economic Development and Trade:

Will the Minister detail in full the connection between ASEA Brown Boveri Pty Ltd, the company which has been awarded a contract in regard to electrification of the metropolitan rail system, and Deras Pty Ltd, which proposes to set up a tannery at Boyanup?

Mr GRILL replied:

ABB Traction has a countertrade obligation arising from the electrification of the metropolitan railway system which it intends to partially fulfil by sponsoring the Deras Group to establish a tannery in Western Australia. The Deras Group has registered Deras (Australia) Pty Ltd for this purpose.

EDUCATION - UNIVERSITY MERGER

New Legislation - Final Confirmation of Benefits. Explanation

1486. Mrs EDWARDES to the Minister for Education:

Referring to question 806 of 1989, relating to when legislation for the proposed amalgamation of the University of Western Australia and Murdoch University will be introduced, will the Minister please advise -

- what is meant by final confirmation of the benefits;
- to what benefits is the Minister referring;
- who is determining the final confirmation; and
- when will this legislation be introduced?

Dr LAWRENCE replied:

- Consultation with both universities has confirmed that the benefits of amalgamation identified in the report of the committee of review of higher education in Western Australia have been forthcoming in the process of working out detailed arrangements for the merger;
- see (a) - a copy of the report was provided to each member of Parliament in early September;
- the Minister for Education, after consultation as in (a); and
- during the current session of Parliament.

RESCUE TRAILERS - BRIGADE ALLOCATION*Assistance Contributions*

1517. Mr COWAN to the Minister for Police and Emergency Services:

- (1) With reference to question 1314 of 1989, and the answer to part (4), did all of the brigades which have been allocated rescue trailers provide the \$20 000 requested by the Government to assist in the purchase of the units?
- (2) Which brigades paid less than \$20 000 and which brigades paid greater than \$20 000?
- (3) How much did each of the brigades listed in part (2) of the answer to question 1314 of 1989 actually pay as their contribution towards the rescue trailer?

Mr TAYLOR replied:

- (1) No, but all brigades to be allocated trailers have pledged to raise \$20 000, except Denham, Carnarvon and Mandurah - see (3) below.
- (2) No brigade will pay greater than \$20 000. Payments received to date are as scheduled in (3).
- (3) See attached list.

Rescue Trailer Programs
Brigades Received Tanker, Trailer and Billed

Program No. 1	Donated & Received
Beverley	20 000.00
Busselton	15 000.00
Carnarvon	13 000.00
Derby	5 000.00
Kwinana	15 000.00
Kununurra	12 600.00
Mandurah	Not part of program
Merredin	20 000.00
Moora	5 000.00
Narrogin	20 000.00
Port Hedland	15 155.48
Rockingham	15 000.00
Williams	19 500.00
Yanchep	20 000.00
Broome	19 090.65
Coolgardie	5 125.00
Cue	20 000.00
Dalwallinu	20 735.21
Denham	See note below
Dongara	10 000.00
Donnybrook	19 645.81
Esperance	Account forwarded
Exmouth	5 000.00
Harvey	Hazchem trailer
Karratha	Hazchem trailer
Kellerberrin	19 859.31
Lake Grace	1 396.31
Laverton	2 000.00
Leonora	20 000.00
Manjimup	18 500.00
Meekatharra	Account forwarded
Mt Barker	20 000.00
Mt Magnet	Account forwarded
Mullewa	507.18
Newman	20 000.00
Wongan Hills	20 000.00
Wundowie	20 000.00

Note:

Denham, Carnarvon and Mandurah were issued a rescue trailer outside this contributors' program. Permanent brigades Bunbury, Geraldton, Kalgoorlie, Albany and Northam also outside contributors' program.

STATESHIPS - SHIPBUILDING ORDERS

Charter Arrangements - Singapore Interests

1518. Mr COURT to the Minister for Economic Development and Trade:

- (1) With reference to a report in *The West Australian* on 9 December 1988, that three new ships were being built on Government orders that would be chartered by the State shipping service from Singapore interests, will the Minister advise who are the Singapore interests financing the deal?
- (2) What charter arrangements have been made with Stateships?

Mr GRILL replied:

- (1) There are no Singapore interests involved in any way whatsoever with the three new ships under construction for Stateships.
- (2) Stateships is chartering vessels from Westpac Banking Corporation. The charters will commence on delivery of the ships under the shipbuilding agreement.

STATESHIPS - ANNUAL REPORT

Extension - Tabling Date

1519. Mr COURT to the Minister for Economic Development and Trade:

- (1) Why has the annual report of the Western Australian Coastal Shipping Commission not been lodged when an extension was granted only until 30 September 1989?
- (2) When will this report be lodged?

Mr GRILL replied:

(1)-(2)

The annual report of the Western Australian Coastal Shipping Commission was presented to me on 30 September 1989, as required under the Financial Administration and Audit Act. If the member is seeking to know when the annual report will be tabled in Parliament, I can inform him that it will be tabled within 21 sitting days of receiving the audited statement of accounts from the Auditor General, again in accordance with the Financial Administration and Audit Act.

TANNERY - SOUTH WEST

Establishment - Company Negotiations

1523. Mr COURT to the Minister for Economic Development and Trade:

- (1) Is the Government negotiating with any companies for the establishment of a new tannery in the south west?
- (2) If so, what companies are involved?
- (3) What connection does this tannery project have with the electrification of the suburban rail system?

Mr GRILL replied:

(1) No.

(2)-(3)

ABB Traction has a counterwinding obligation as a result of being awarded a contract in regard to the electrification of the metropolitan rail system. ABB Traction intends to partially fulfil this obligation by sponsoring the Deras Group to establish a tannery in Western Australia. A site in Boyanup is under consideration.

PEEL INLET MANAGEMENT AUTHORITY - MEMBERS

Term of Appointments

1524. Mr MENSAROS to the Minister for Waterways:

Who are the current members of the Peel Inlet Management Authority and what is the term of their appointment?

Mr TAYLOR replied:

See reply to Legislative Assembly question 865.

ENERGY - LIQUID PETROLEUM GAS

Average Retail Price - Mainland States

1525. Mr MENSAROS to the Minister for Fuel and Energy:

- (1) What is the average typical retail price of liquid petroleum gas in each mainland State?
- (2) What tax component, if any, is contained in these retail prices?

Mr CARR replied:

- (1) It is difficult to specify typical retail prices for LPG since prices vary depending upon -

location;
quantity sold;
ownership of facilities; and
market conditions.

However, for autogas, indicative capital city prices are as follows -

WA	26.9 cpl
SA	11 to 30 cpl - reflecting active price competition
Vic	22 to 27 cpl
NSW	26 to 27 cpl
Qld	26 to 27 cpl
Darwin	42 to 43 cpl

In the case of LPG in 45 kilogram cylinders, indicative prices are as follows -

WA	\$36.65
SA	\$34.00
Darwin	\$54.00
Vic/NSW/Qld:	Unknown.

- (2) None.

WESTERN AUSTRALIAN MUSEUM - PERCY MARKHAM COLLECTION

Vintage and Veteran Cars - Sale Date

1527. Mr AINSWORTH to the Minister for The Arts:

What is the proposed sale date for the Western Australian Museum's veteran and vintage cars, known as the Markham collection?

Mr PARKER replied:

The museum is awaiting final confirmation of the date from Christie's. The sale of the 10 veteran/vintage cars, formerly part of the Markham collection, is now planned for early in the new year, probably mid-February.

HEALTH - NURSES BOARD

Restructuring - Legislation Amendments

1528. Mr HASSELL to the Minister for Health:

Further to question 897 of 1989, when are the amendments to the legislation to be presented relating to the restructuring of the Nurses Board?

Mr WILSON replied:

There is no change to the answer previously provided in response to question 897.

JUVENILE OFFENDERS - HIGH SPEED CHASE
Children's Court 15 September Appearance - Charges

1530. Mr HASSELL to the Minister representing the Attorney General:

- (1) What charges were laid against the four girls and one boy who appeared in the Children's Court on 15 September 1989 after a high speed chase all the way to Yarloop?
- (2) What was the outcome of those charges?

Mr D.L. SMITH replied:

- (1) Each of the juvenile females was charged with two counts of unlawful use of a motor vehicle and one count of breaking, entering and stealing.

The charges laid against the juvenile male were -

- (a) Unauthorised use of a motor vehicle;
 - (b) Unauthorised driving of a motor vehicle;
 - (c) Breaking, entering and stealing;
 - (d) No motor driver's licence - suspended;
 - (e) Reckless driving;
 - (f) Fail to stop when called upon; and
 - (g) Assault to prevent arrest.
- (2) One female offender pleaded guilty to all charges on 15 September 1989. She was fined \$800 on each charge.

One female offender pleaded guilty and was remanded to 2 November 1989 for a presentence report.

Another female offender was remanded to appear in the Carnarvon Children's Court on 19 October 1989. She failed to appear on that date and a bench warrant was issued.

The fourth female offender failed to appear at Perth Children's Court on 15 September 1989 and a bench warrant has been issued.

The male offender also failed to appear in the Perth Children's Court on 15 September 1989 and a bench warrant has been issued for his arrest.

EDUCATION - PREPRIMARY PROGRAM
Five Year Olds - Placements

1531. Mrs EDWARDES to the Minister for Education:

Referring to the five year old preprimary program, will the Minister advise -

- (a) how many children found a place in 1989 in Government schools;
- (b) how many children found a place in 1989 in non-Government schools;
- (c) how many classes were conducted for the morning sessions and for the afternoon sessions;
- (d) how many classrooms are utilised for this program;
- (e) were any children eligible for entry, whose parents sought entry into the program of their choice, unable to be placed and, if so, how many; and
- (f) what provision was made for children who were unable to find a place in the Government preschool program in 1989?

Dr LAWRENCE replied:

Except for part (b), this information related to the five year old preprimary program in Government schools and Government staffed community preschools.

- (a) 21 282.
- (b) 2 736.
- (c) This information is not available centrally.
- (d) 628 classrooms in primary schools and an estimated 134 classrooms in preschools.

- (e)-(f) Sufficient places were available for all five year old children. However, these places were not always available in the program of the parents' choice. Because some children were multiple enrolled, it is not possible to determine, accurately, how many children were not enrolled in the preferred program.

EDUCATION - PREPRIMARY PROGRAM
Four Year Olds - Anticipated Enrolments

1532. Mrs EDWARDES to the Minister for Education:

Referring to the four year old preprimary program will the Minister advise -

- (a) how many children are anticipated to seek enrolment in 1990;
- (b) how many children will be eligible to enter the program in 1990;
- (c) will there be full programs available for all those children whose parents will seek places in 1990;
- (d) if not, why not;
- (e) how many floor spaces will be required to fully accommodate the full four year old entry numbers;
- (f) how many teaching staff will be required to fully cater for the eligible number of students;
- (g) how many teaching aides will be required; and
- (h) will all those teaching in the four year old program be fully qualified preschool teachers?

Dr LAWRENCE replied:

This information relates to the four year old preprimary program in Government schools and Government staffed community preschools.

- (a) Typically, about 35 per cent of four year old children gain enrolment in Government funded preschools.
- (b) Provision for four year old children is made through community preschools, preprimary centres and family centres. Four year olds are eligible for a place in one of these centres in 1990. There are approximately 25 300 four year olds in Western Australia, but the parents of all these children do not necessarily seek a place.
- (c) Answered by (b).
- (d) Not applicable.
- (e) None. Additional floor space is not provided for four year old students in preschools but substantial additional provision for four year olds is being made in family centres.
- (f) The number of teachers cannot be determined. See (b).
- (g) The number of teacher aides cannot be determined. See (b).
- (h) Yes.

EDUCATION - PREPRIMARY PROGRAM
Four Year Olds - Enrolments

1533. Mrs EDWARDES to the Minister for Education:

Referring to the four year old preprimary program, will the Minister advise -

- (a) how many children were enrolled in 1989 in Government schools;
- (b) how many children were enrolled in 1989 in non-Government schools;
- (c) how many children were unable to be placed whose parents sought entry into the program;
- (d) which schools and preprimary centres are providing full programs for four year old entries in 1989;
- (e) how many half day preprimary sessions are exclusively for the four year old entry and at which schools; and
- (f) how many half day preprimary sessions include both five year old and four year old entries, and at which schools?

Dr LAWRENCE replied:

Except for part (b), this information relates to the four year old preprimary program in Government schools and Government staff community preschools.

- (a) 9 921.
- (b) 1 117.
- (c) This information is not recorded.
- (d) 392 Government schools and community preschools.
- (e)-(f)

This information is not available centrally.

EDUCATION - PREPRIMARY PROGRAM
Five Year Olds - Enrolments

1534. Mrs EDWARDES to the Minister for Education:

Referring to the five year old preprimary program, will the Minister advise -

- (a) how many children are anticipated to seek enrolment in 1990;
- (b) how many floor spaces per half day session will be required to fully provide for this anticipated number of children;
- (c) will sufficient floor spaces be available to fully provide for all children who seek places;
- (d) will there be sufficient preprimary trained and qualified teachers available to provide for the expected enrolment; and
- (e) how many qualified preprimary teachers will be employed to commence teaching at the commencement of the 1990 year?

Dr LAWRENCE replied:

This information relates to the five year old preprimary program in Government schools and Government staffed community preschools.

- (a) Since attendance is not compulsory, a specific figure cannot be given, but it is anticipated that a little over 22 000 applications will be received.
- (b) In the region of 780 classrooms.
- (c)-(d) Yes.
- (e) The estimated full time equivalent is of the order of 630, but the actual number of teachers necessary will not be known until enrolments are confirmed early in 1990.

EDUCATION - PRIMARY SCHOOLS
Building Statistics

1539. Mrs EDWARDES to the Minister for Education:

Which primary schools were built during the years 1983 to 1989?

Dr LAWRENCE replied:

Edgewater	Forest Crescent
Creaney	Marangaroo
Rostrata	Woodvale
Glen Hill	Alinjarra
Blackstone	Beechboro
Warakurna	Clifton Park
Jameson	Ocean Reef
Looma	Kiwirrkurra
Wingellina	Tjirrkarli
Limestone Creek	Doon Doon
Gas Pipeline	Ballajura
Beldon	Dryandra
Ashburton	Edney
Eddystone	Banksia Park
Halidon	South Padbury
Mullaloo Beach	Tambrey
Poseidon	Tjukurla
Samson	Cable Beach
South Lake	Dalmain
West Leeming	Falcon
Yintarri	Greenfields
Bibra Lake	North Woodvale
East Waikiki	

SEWERAGE RATES - METROPOLITAN AREA

Revenue - Water Authority of Western Australia, Yearly Cost

1544. Mr MENSAROS to the Minister for Water Resources:

- (1) What was the aggregate revenue from sewerage rates within the metropolitan area - which used to belong to the Water Authority of Western Australia - during each of the financial years from 1983-84 to 1988-89?
- (2) What is the estimated yearly cost to the WAWA of these services in the metropolitan area?

Mr BRIDGE replied:

- (1) The following information, on sewerage rates revenue, is in accordance with the information published in the metropolitan Water Authority's and the Water Authority of Western Australia's annual reports -

Metropolitan Sewerage Rates

	\$000
1983-84	67 280
1984-85	72 687
1985-86	78 433
1986-87	90 620
1987-88	100 538
1988-89	107 880

- (2) The annual cost of providing these services, as per the respective year's annual report, is as follows -

Metropolitan Sewerage Costs

	\$ 000
1983-84	70 704
1984-85	76 308

1985-86	89 854
1986-87	94 113
1987-88	109 985
1988-89	112 990

DRAINAGE RATES, RURAL - REVENUE
Water Authority of Western Australia - Building Management Authority

1545. Mr MENSAROS to the Minister for Water Resources:

- (1) What was the aggregate revenue from country drainage rates to the Water Authority of Western Australia and the Building Management Authority respectively during each of the financial years from 1983-84 to 1988-89?
- (2) What is the estimated yearly cost to the WAWA for providing the same services as in the past without country drainage districts and without drainage rates being received?

Mr BRIDGE replied:

- (1) The following information, on drainage rates revenue, is in accordance with the information published in the Public Works Department's and the Water Authority of Western Australia's annual reports -

Country Drainage Rates

	\$ 000
1983-84	739
1984-85	817
1985-86	875
1986-87	980
1987-88	1 038
1988-89	970

- (2) The annual cost of providing country and metropolitan drainage services, as per the respective year's annual report, is as follows -

Country Drainage Costs

	\$ 000
1983-84	1 597
1984-85	1 707
1985-86	2 305
1986-87	2 068
1987-88	3 189
1988-89	3 819

Metropolitan Drainage Costs

	\$ 000
1983-84	6 551
1984-85	6 540
1985-86	7 133
1986-87	7 746
1987-88	9 683
1988-89	9 169

TRAFFIC - SPEED LIMITS
Freeways - Increase Consideration

1547. Mrs EDWARDES to the Minister for Transport:

In regard to vehicle use on the freeways, can the Minister advise whether an increase of speed limits has been considered and, if so, what was the decision and why?

Mr PEARCE replied:

The speed limit on the Kwinana and Mitchell Freeways was increased from 80 kmh to 90 kmh in August 1987. No further change to the limit is contemplated at this stage.

**ABORIGINAL SPORTS AND RECREATION ASSOCIATION - ESTABLISHMENT
PROPOSALS**
Ministerial Support

1550. Mr MacKINNON to the Minister for Aboriginal Affairs:

- (1) Is the Minister aware of attempts to establish in Western Australia an Aboriginal Sports and Recreation Association?
- (2) If so, is the Minister supportive of those efforts?
- (3) Is the Minister prepared to support the establishment of such an association?
- (4) If not, why not?

Dr LAWRENCE replied:

- (1) Yes.
- (2) I support, in principle, those efforts.
- (3) I would be prepared to consider support for the establishment of such an association depending upon the outcome of prior negotiations with relevant agencies including the Ministry of Sport and Recreation.
- (4) Not applicable.

McKENZIE, MR BILL - STATE PLANNING COMMISSION CHAIRMAN
Retirement Package

1551. Mr MacKINNON to the Premier:

- (1) Has agreement been reached with the current Chairman of the State Planning Commission, Mr Bill McKenzie, about the nature of his retirement package?
- (2) If so, would the Minister detail to the Parliament the total payments to Mr McKenzie?
- (3) When was Mr McKenzie's current agreement last approved by the Government?
- (4) What were the terms of that appointment?

Mr PETER DOWDING replied:

- (1)-(2) Consistent with policies adopted by previous Governments, I do not propose to disclose the personal financial details of individuals who were formerly employed in the public sector.

- (3)-(4) Mr McKenzie was appointed Chairman of the State Planning Commission on 6 December 1985 for three years. He was reappointed on 6 December 1988 for a five year term but retired for personal reasons from 31 October 1989.

HEALTH - HOSPITAL AND EQUIPMENT TRUST ACCOUNT
Derby Regional Hospital Project - Credit

1552. Mr MacKINNON to the Minister for Health:

What funds are currently held within the hospital building and equipment trust account to the credit of the Derby Regional Hospital project?

Mr WILSON replied:

The current balance of the fund is \$8.535 million. This allocation is represented by the following -

Original project budget	\$9.2 m
Plus escalation costs as a result of the Cabinet financial and economic development review of 1988-89	\$0.42 m
Less expenditure to date (31.10.89)	\$1.085 m
Remaining project funds	\$8.535 m

PLANNING - CLARKSON BUTLER PLANNING STRATEGY

Public Review - No Release

1553. Mr MacKINNON to the Minister for Planning:

- (1) Further to question 1277 of 1989, could the Minister advise why the Clarkson Butler planning strategy was not released for public review and input prior to its being finalised?
- (2) What is the position with the report at the current time; that is, what action has been taken by the Government as a consequence of the report?

Mrs BEGGS replied:

- (1) Public comment was sought on the draft planning strategy in early 1989. The document is non-statutory and is not therefore a working document. Further public comment will be invited during the rezoning process.
- (2) The report serves as a starting point for development of planning proposals in the Clarkson Butler area.

STATE FINANCE - ACCOUNTABILITY

*Auditor General's Second Report - Education Minister's,
Treasurer's Action*

1554. Mr MacKINNON to the Minister for Education:

- (1) Has the Minister, together with the Treasurer, taken steps to resolve the issue of accountability for cash resources as recommended by the Auditor General in his second report dated 31 August 1989?
- (2) If not, when is it anticipated that these matters will be resolved?

Dr LAWRENCE replied:

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

STATE FINANCE - ACCOUNTABILITY

*Auditor General's Second Report - Government Agencies, Treasurer's
Discussion Papers*

1555. Mr MacKINNON to the Treasurer:

- (1) Has the Treasury coordinated the preparation of its discussion papers on the accounting for assets transferred between Government agencies with a view to preparing definitive guidelines as recommended by the Auditor General in his second report dated 31 August 1989?
- (2) If so, will those discussion papers be made public?
- (3) If not, why not?
- (4) If the paper has been prepared, when was it completed and circulated for discussion?

Mr PARKER replied:

- (1) No.
- (2) Not applicable.

- (3) Treasury is liaising with the office of the Auditor General in establishing the need for guidelines and the extent to which they could be issued to further improve accountability and reporting of assets transferred between Government agencies.
- (4) Not applicable.

STATE FINANCE - ACCOUNTABILITY

Auditor General's Second Report - Government Agencies, Treasurer's Instructions

1556. Mr MacKINNON to the Treasurer:

- (1) Has the Treasurer issued instruction to all tertiary institutions to require them to comply consistently with the provisions of the Financial Administration and Audit Act and Treasurer's Instructions relating to statutory authorities' reporting on an accrual basis as outlined in the second report of the Auditor General dated 31 August 1989?
- (2) If so, when was the instruction issued?
- (3) If the instruction has not been issued, why not?

Mr PARKER replied:

- (1) No.
- (2) Not applicable.
- (3) Treasury has developed illustrative financial statements for tertiary institutions which were recently circulated to each institution for consideration and comment, with a view to adopting a standard form of reporting commencing with the 1990 academic year.

STATE FINANCE - ACCOUNTABILITY

Auditor General's Second Report - Community Services Department, Funding Guidelines

1557. Mr MacKINNON to the Minister for Community Services:

- (1) Has the Department for Community Services defined and published guidelines which will assist the recipients of funds from the department in developing procedures to provide an acceptable level of accountability as referred to in the second report of the Auditor General dated 31 August 1989?
- (2) If not, when will those guidelines be developed?
- (3) If they have been developed, would the Minister table a copy of those guidelines?

Mr D.L. SMITH replied:

- (1) Yes, in a draft funding package and two training manuals.
- (2) Not applicable.
- (3) Yes. Copies of above are attached.

[See paper No 543.]

EDUCATION - "LEEMING SENIOR HIGH SCHOOL" PAMPHLET

Payer

1559. Mr MacKINNON to the Minister for Education:

- (1) Who paid for the pamphlet headed "Leeming Senior High School" on the reverse side of which were photographs of the Minister for Education and the Minister for Works and Services - not the letter written by the principal of the school as referred to by the Minister in the Minister's answer to question 1286 of 1989?
- (2) When was the pamphlet printed?
- (3) What was the purpose of the pamphlet?

- (4) What was the cost of the pamphlet?
- (5) To whom was the pamphlet distributed?

Dr LAWRENCE replied:

- (1) The pamphlet is one of a routine series that the Building Management Authority produces for most major projects, including schools. It was paid for by the Building Management Authority.
- (2) August 1989.
- (3) The purpose of the pamphlet was to inform interested parties such as parents and the local community of the background to the project.
- (4) \$645.
- (5) Initially to all Ministers, local members, local libraries and the local government authority. They were available for the school opening and are distributed on request to visitors to the school.

ROTHWELLS LTD - GOVERNMENT EMPLOYEES SUPERANNUATION BOARD
Treasury Deposit - Approval Date

1560. Mr MacKINNON to the Treasurer :

- (1) Why was written approval for the Government Employees Superannuation Board \$50 million investment in Rothwells, as recently reported, not approved until 18 March 1988, even though the last of the deposits made to make up the \$50 million was made on 3 February?
- (2) Who approved of the investment?
- (3) What were the dates the investments were made?
- (4) When were the funds recouped to the Government Employees Superannuation Board?
- (5) When were those funds then paid to Treasury?

Mr PARKER replied:

- (1) The Treasurer's verbal approval to the Superannuation Board's decision to deposit funds in Rothwells was given prior to the deposit being made. This approval was formally ratified on 18 March 1988.
- (2) The Treasurer, Hon Peter Dowding.
- (3) 29 January 1988.
1 February 1988.
2 February 1988.
- (4) 14 June 1988.
- (5) The funds were not paid back to Treasury. They were not Treasury funds, but Superannuation Board funds.

EXECUTIVE COUNCIL - ROLE AND FUNCTION
Examination - Responsibility

1562. Mr MacKINNON to the Premier:

- (1) Who within the Government is examining the role and function of the Executive Council as outlined by the Premier in his answer to me in question 1235 of 1989?
- (2) Has that examination of the role and function of the Executive Council yet been concluded?
- (3) If so, what were the results of that examination?
- (4) If not, when is it anticipated that the examination of the role of the Executive Council will be completed?

Mr PETER DOWDING replied:

(1)-(4)

An interdepartmental working party has completed a review of the role and function of Executive Council and reported to Cabinet. Cabinet has recently endorsed a set of guidelines recommended by the working party for determining the need for the approval of Executive Council and has approved in principle the preparation of a draft Acts Amendment Bill to implement any necessary changes.

Ministers are currently preparing recommendations in respect of Acts under their portfolios and will be liaising with the Ministry of the Premier and State Administration and Parliamentary Counsel in the framing of the draft Bill. It is proposed to present the Bill to Parliament as soon as possible.

MOSMAN BAY TEAROOMS - LEASE

New Agreement

1564. Mr HASSELL to the Minister for Transport:

- (1) Has the new or amended lease for the Mosman Bay Tearooms been agreed to and signed?
- (2) If so, when and what are the terms of the agreement?
- (3) If not, will there be consultation with all interested local residents and the Mosman Park Town Council before the agreement is finalised and/or signed?
- (4) Can the Minister assure the local residents that there will be no more functions permitted under the new agreement?
- (5) Can the Minister assure the local residents that there will be no music provided by bands or DJs, or any other forms of loud music, and is this part of the new agreement?
- (6) What is the proposed opening and closure time each day?
- (7) What is the maximum seating capacity allowed or to be allowed?
- (8) What is the maximum occupancy of the building at any one time permitted or to be permitted?
- (9) Has any consideration been given to the parking problems?
- (10) If so, what arrangements are to apply?
- (11) Can the Minister assure local residents there will be no liquor licence granted to this establishment at any time in the life of the present Government?
- (12) Will the Minister, in the future, consider and act on any complaints received from local residents should a problem arise in relation to this establishment?
- (13) What powers are or are to be contained in the lease documents to allow the Minister to act effectively on complaints?
- (14) Was the restaurant proposal referred to the Swan River Trust?
- (15) Was the Minister advised whether such referral was a legal requirement?

Mr PEARCE replied:

- (1) No.
- (2) Not applicable.
- (3) Yes, consultations have already taken place.
- (4) Yes. No functions will be permitted at night.
- (5) Yes.
- (6) From 7.00 am to 12.00 midnight.
- (7) 110 patrons may be seated inside.
- (8) 175 people including staff - enclosed and deck areas.

- (9) Yes.
- (10) (i) Valet parking on Friday and Saturday nights.
(ii) Discussions with Mosman Council on parking problems.
(iii) Surveillance of weekend night parking.
- (11) Liquor licences are granted by the Licensing Court independent of the Government; however, any application for such a licence would not receive my support.
- (12) Yes. Through discussions with the council and residents it has been arranged that the Department of Marine and Harbours will provide an avenue for complaints.
- (13) Standard lease conditions.
- (14) No.
- (15) As there was no new development but merely a change in status of the business it was considered that it was not necessary to refer the matter to the Swan River Trust.

EDUCATION - GOVERNMENT SCHOOLS
Asbestos Roofs and Ceilings - Inspection Dates

1565. Mrs EDWARDES to the Minister for Education:

Referring to question 1464 of 1989, will the Minister advise -

- (a) the dates the respective schools were inspected, and by whom; and
- (b) specifically which schools required attention and the date when the asbestos was removed?

Dr LAWRENCE replied:

(a)-(b)

A survey of all schools was conducted in 1986 by the Department of Occupational Health, Safety and Welfare. It indicated that remedial action was required at the following ministry institutions -

Augusta Primary School
Beaconsfield Education Centre
Belmont Senior High School
East Claremont Primary School
Claremont Primary School
Coorow Primary School
Craigie Senior High School
Denmark Agricultural High School
Geraldton Senior High School
Graylands Distance Education Centre
Scarborough Senior High School
Lynwood Senior High School
Morawa District High School
Buckland Hill Special School
Mosman Park Deaf School
North Fremantle Preprimary School
North Perth Junior Primary School
Orange Grove Primary School
Perth Technical College
Wittenoom Primary School

As a result of the survey the ministry asked the BMA to attend to the remedial action, whether this involved the removal of asbestos insulation, limpet asbestos, lagging, asbestos fire blankets or replacing damaged building sheets. This work has been carried out over the interval since the survey was completed.

ABORIGINAL SITES DEPARTMENT - WESTERN AUSTRALIAN MUSEUM
Employees - Statistics and Qualifications

1566. Mr MacKINNON to the Minister for Aboriginal Affairs:

- (1) How many persons are employed by the Department of Aboriginal Sites, Western Australian Museum?
- (2) What qualifications do these employees have in relation to Aboriginal sites?

Dr LAWRENCE replied:

- (1) Seventeen people.
- (2) All the professional and executive staff have graduate or postgraduate qualifications in anthropology, prehistory or the social and physical sciences. Many staff have attended professional courses and training sessions in applied aspects of cultural resource management.

HOUSING - HOMESWEST
Moolanda Boulevard, Kingsley, Land Sale - Grand Lodge of Freemasons

1567. Mrs EDWARDES to the Minister for Housing:

Will the Minister detail the conditions incorporated into the sale of land located in Moolanda Boulevard, Kingsley by Homeswest to the Grand Lodge of Freemasons?

Mrs BEGGS replied:

- (1) In 1980 Homeswest and the Grand Lodge of Western Australia reached general agreement on the principles of joint venture arrangements.
 [See paper No 544.]
- (2) In 1982 Homeswest entered negotiations with the Grand Lodge for a joint venture for aged persons on lot 501 Moolanda Boulevard, Kingsley.
- (3) The principles of the joint venture were as follows -
 - (i) The Grand Lodge submitted a development plan for the entire site - 3.9011 hectares - to provide an elderly citizens' centre.
 - (ii) Homeswest provided the land to the joint venture at current market value plus the cost of servicing the site - being \$200 000 CMV plus \$27 752 service costs.
 - (iii) The Grand Lodge on its part agreed as the first stage of development to construct 15 units estimated at \$15 000 each - being \$225 000 - providing financial parity for the joint venture.
 - (iv) As part of the arrangement and consistent with the general joint venture principles referred to in (1), Homeswest agreed to sell the land to the Grand Lodge for \$227 752. This was effected by the Grand Lodge providing the cost of construction - estimated at \$225 000 - and the balance of \$2 752 cash.
 - (v) The land was transferred from Homeswest to the Grand Lodge with consideration for the transfer being "the desire of the transferor to transfer the said land to the transferee to the intent that the land be used for aged persons' purposes. These being no monetary consolidation."
- (4) The valuation by the Valuer General was on the basis that the site would be used for an elderly citizens' centre.
- (5) The City of Wanneroo and the Department of Planning and Urban Development approved the change of zoning and subdivision on the basis that the site would be used for an elderly citizens' centre.
- (6) Stamp duty for the transfer was assessed and exempted by the Commissioner of Taxation on the basis of the proposed use.

EDUCATION - VARLEY PRIMARY SCHOOL

Minor Works - Repainting Date

1569. Mrs EDWARDES to the Minister for Education:

Referring to question 1479 of 1989, when will the minor works and repainting occur at the Varley Primary School?

Dr LAWRENCE replied:

Decisions on priority for such works are made by the district committee.

EDUCATION - BOYANUP PRIMARY SCHOOL

Tuckshop and Extra Teaching Area - District Education Office, Tenders

1570. Mrs EDWARDES to the Minister for Education:

Referring to question 1474 of 1989 -

- (a) have tenders been let by the district education office for the tuckshop and extra teaching area at the Boyanup Primary School;
- (b) if so, at what date; and
- (c) if not, why not?

Dr LAWRENCE replied:

(a)-(c)

The Parents and Citizens' Association of the school is handling this project under subsidy from the District Education Office. More details would be available from the association.

EDUCATION - BOYANUP PRIMARY SCHOOL

Small Group Work

1571. Mrs EDWARDES to the Minister for Education:

Referring to question 1472 of 1989 -

- (a) what type of small group work is being conducted at the Boyanup Primary School in areas other than a classroom; and
- (b) how many students would be involved in the small group works?

Dr LAWRENCE replied:

(a)-(b)

The principal has organised small group activities as follows -

Reading	one group of 12 children one group of 11 children
Mathematics	one group of 18 children one group of 17 children
Language	one group of four children
Drama	one group of 18 children one group of 19 children
Social Studies	one group of 17 children one group of 18 children
Instrumental Music	one group of four children one group of four children

EDUCATION - SWAN VIEW SENIOR HIGH SCHOOL

Minor Works Project - District Education Office Committee, Consideration

1572. Mrs EDWARDES to the Minister for Education:

Referring to question 1470 of 1989, when will this minor works project at the Swan View Senior High School be considered by the district education office committee?

Dr LAWRENCE replied:

This project will be considered by the district education office committee at its next meeting on 9 November 1989.

EDUCATION - SWAN VIEW SENIOR HIGH SCHOOL
Transportables - Full Utilisation

1573. Mrs EDWARDES to the Minister for Education:

- (1) Referring to question 1468 of 1989, can the Minister advise if all transportables located at the Swan View Senior High School are currently being fully utilised?
- (2) If so, why is it planned to reduce the number of transportables by two in 1990?

Dr LAWRENCE replied:

- (1) Based on current enrolments, there should be no need for all transportables to be fully utilised. This is a matter of internal organisation.
- (2) The school will require 39 to 40 effective full teaching areas in 1990. With two transportables removed for use in areas with increasing enrolments, there will still be the equivalent of 42.5 teaching areas on site.

EDUCATION - BELDON PRIMARY SCHOOL
Student Statistics

1574. Mrs EDWARDES to the Minister for Education:

Will the Minister advise what are the projected student population numbers for the Beldon Primary School for the years -

- (a) 1990;
- (b) 1991; and
- (c) 1992?

Dr LAWRENCE replied:

- (a) 479 primary and 54 preprimary students.
- (b) 543 primary and 102* preprimary students.
- (c) 602 primary and 102* preprimary students.

*Assumes the availability of a transportable preprimary unit.

EDUCATION MINISTRY - POLICY AND RESOURCES DIVISION
PABX System - Installation Cost

1575. Mrs EDWARDES to the Minister for Education:

Will the Minister advise the cost of installation of the PABX system in the policy and resources division of the Ministry of Education and the estimated annual cost of tie lines?

Dr LAWRENCE replied:

A new PABX system was installed in the ministry to replace the ageing central PABX service. The cost of installation of the new PABX system for the policy and resources division was \$8 651. There are no annual costs for tie lines.

EDUCATION MINISTRY - HUMAN RESOURCES SERVICES BRANCH
Payroll Services Branch - PABX System, Installation Cost

1576. Mrs EDWARDES to the Minister for Education:

Will the Minister advise the cost of installation of the new PABX system in the human resources services branch and payroll services branch of the Ministry of Education and the estimated annual cost of the tie lines?

Dr LAWRENCE replied:

The cost of installation of the new PABX system for the human resources services branch and payroll services branch of the ministry was \$6 225. There are no annual costs for tie lines.

HEALTH - WANNEROO HOSPITAL
Speech Therapist Services - Children, Waiting Period

1578. Mrs EDWARDES to the Minister for Health:

- (1) Are there children waiting for speech therapist services at the Wanneroo Hospital?
- (2) If yes, how many?
- (3) What is the waiting period for new clients?

Mr WILSON replied:

- (1) Yes.
- (2) Ninety-three.
- (3) The current waiting period for new clients is four to six months.

GOLD CORPORATION - ANNUAL REPORT
Completion

1579. Mr MacKINNON to the Premier:

- (1) Have the annual accounts for Gold Corporation for the year ending 30 June 1989 been completed?
- (2) If so, when does the Premier expect those accounts will be tabled in the Parliament?

Mr PETER DOWDING replied:

(1)-(2)

The accounts are close to finalisation and will, in accordance with the Gold Banking Corporation Act, be tabled before 30 November 1989.

DRAINAGE RATES - METROPOLITAN AREA
Revenue - Water Authority of Western Australia, Service Costs

1581. Mr MENSAROS to the Minister for Water Resources:

- (1) What was the aggregate revenue from drainage rates within the metropolitan area - which used to belong to the Metropolitan Water Authority - during each of the financial years from 1983-84 to 1988-89?
- (2) What is the estimated yearly cost to the Water Authority of Western Australia of these services in the metropolitan area?

Mr BRIDGE replied:

- (1) The following information, on drainage rates revenue, is in accordance with the information published in the Metropolitan Water Authority's and the Water Authority of Western Australia's annual reports -

Metropolitan Drainage Rates

	\$ 000
1983-84	7 229
1984-85	7 585
1985-86	7 678
1986-87	7 957
1987-88	8 675
1988-89	9 191

- (2) The annual cost of providing these services, as per the respective year's annual report, is as follows -

Metropolitan Drainage Costs

	\$ 000
1983-84	6 551
1984-85	6 540
1985-86	7 133
1986-87	7 746
1987-88	9 683
1988-89	9 169

STATE GOVERNMENT INSURANCE COMMISSION - DAVID JONES SITE

Whole Interest Purchase - Agreement Date

1585. Mr MENSAROS to the Treasurer:

- (1) Further to the Treasurer's reply to question 1372 of 1989, when was it first agreed that the State Government Insurance Commission would buy the whole interest in the David Jones site?
- (2) What was the price paid?
- (3) Was the price paid in cash and, if so, what were the conditions of the cash transaction?
- (4) If the answer to (3) is no, what were the terms and conditions?

Mr PARKER replied:

- (1) The State Government Insurance Commission never agreed to buy the whole of the interest in the David Jones site.

Explanatory Note: On 23 October 1987, the State Government Insurance Commission acquired an interest in the Mid-Town Property Trust from Mr L.R. Connell. That interest being represented by a quarter share in the Perth Technical College site and the David Jones site, subsequently a further settlement was made by the SGIC by obtaining an additional 25 per cent ownership in the Perth Technical College site in exchange for its 25 per cent ownership in the David Jones site to the Bond Corporation.

- (2)-(4) Not applicable.

LAND - MOSMAN PARK

Chidley Education Centre, Assessment - Asset Management Task Force Survey

1586. Mr HASSELL to the Minister for Education:

- (1) Further to question 894 of 1989, when did the Asset Management Task Force survey the area?
- (2) What is the result of its assessment?
- (3) Did the Asset Management Task Force consult with the committee formed by the Chidley Education Centre to promote its proposal for the use of the land?
- (4) If so, to whom did it speak?
- (5) If not, are the local residents going to be involved in discussions for the development of the area?

Dr LAWRENCE replied:

- (1) The Ministry of Education was advised on 27 September that the vacant portion of the site was to be investigated by the Asset Management Task Force as part of its normal procedures for the rationalisation of all Government land.
- (2) No decision has been made.

(3)-(5)

The Asset Management Task Force is aware of the committee's proposals and will ensure that, as with all Asset Management Task Force projects, appropriate consultation with all interested parties will occur.

PLANNING - MONTGOMERY DRIVE

Final Plans - Consultations

1587. Mr HASSELL to the Minister for Planning:

- (1) What final plans are being formulated for Montgomery Drive?
- (2) What consultations will take place?

Mrs BEGGS replied:

- (1) Montgomery Drive has been constructed to within 30 metres of Stephenson Avenue. Connection to Stephenson Avenue has been deferred pending the finalisation of the Shenton Park study.
- (2) Ongoing consultation is taking place between the City of Nedlands, City of Perth, Town of Claremont, Department of Planning and Urban Development, Main Roads Department and interested community groups.

WOKALUP RESEARCH STATION - ASSET MANAGEMENT TASK FORCE

Sale Consideration

1589. Mr BRADSHAW to the Treasurer:

- (1) Has the Asset Management Task Force considered selling the Wokalup Research Station?
- (2) Does the Government intend to sell the Wokalup Research Station?
- (3) If no to (2), will the Treasurer give a commitment to retain the Wokalup Research Station for as long as the farming community sees a need for such an establishment?
- (4) Who is on the Asset Management Task Force?

Mr PARKER replied:

(1)-(3)

Wokalup Research Station is subject to the normal ongoing considerations of the Government's Asset Management Task Force which has the role of ensuring that State owned assets are managed in the best public interest. No decision has been made by the Government to sell all or any part of the research station.

- (4) Please refer to questions on notice 1343 for Tuesday 17 October and 942 for Tuesday 19 September.

HOUSING - KEYSTART HOME LOANS SCHEME

Guarantees on Indemnities - Total Value

1592. Mr LEWIS to the Minister for Housing:

Further to question 496 of 1989 -

- (a) what is the total value of all guarantees on indemnities issued under section 12 of the Housing Act 1980 specifically to support the Keystart home loan scheme as at 31 October 1989; and
- (b) to whom have these indemnities been issued or given and what is the specific value of each deed?

Mrs BEGGS replied:

- (a) Nil value. A value on the Government guarantee can be derived only if the Government decides not to pass on to borrowers the average cost of funds.
- (b) To the Keystart Trust and the Issuing Trust.

ENVIRONMENTAL AND ECONOMIC DEVELOPMENT COUNCIL -
ESTABLISHMENT*Industry Representatives - Government Negotiations*

1593. Mr COURT to the Premier:

What negotiations did the Government have with industry representatives

before establishing the 12 member Environmental and Economic Development Council?

Mr PETER DOWDING replied:

Negotiations were conducted with the Confederation of Western Australian Industry Inc.

ENVIRONMENTAL AND ECONOMIC DEVELOPMENT COUNCIL - MEMBERS
OF PARLIAMENT
Appointments

1595. Mr COURT to the Premier:

What members of Parliament has the Government appointed to the Environmental and Economic Development Council?

Mr PETER DOWDING replied:

The Premier, who is the chairman.

PETROCHEMICAL PROJECT - ENVIRONMENTAL PROTECTION AUTHORITY
Environmental Management Plan

1597. Mr COWAN to the Minister for Environment:

Since the Premier's decision to seek the winding up of Petrochemical Industries Ltd, has the Environmental Protection Authority received, considered, assessed or approved any environmental management plan or environmental impact assessment for the PIL project or any other petrochemical project in Western Australia?

Mr PEARCE replied:

No. No environmental management program has been received since the winding-up procedure commenced, hence no consideration or assessment of such programs has occurred for PIL, or for any other petrochemical proposal.

GYPSUM - ROAD TRANSPORT
Geraldton, Mid-West Region-Metropolitan Area - Approval

1598. Mr COWAN to the Minister for Transport:

- (1) Has approval been given for gypsum to be transported by road from the Geraldton/mid-west region to the metropolitan area?
- (2) If yes, will the Minister provide details of that approval?

Mr PEARCE replied:

- (1) Yes.
- (2) Small amounts of gypsum for use as soil conditioner have been approved for road transport for many years. The quantity of gypsum transported for this purpose is not considered suitable for transport by rail.

EDUCATION - MURDOCH UNIVERSITY
*Australian Meat and Livestock Research and Development
Corporation - University of Western Australia, Contract Changes
Insistence*

1599. Mr COWAN to the Minister for Education:

- (1) Has the University of Western Australia insisted that Murdoch University negotiate changes to several clauses of a research contract offered to Murdoch by the Australian Meat and Livestock Research and Development Corporation?
- (2) If yes, under what authority did UWA insist on those changes?
- (3) Has Murdoch University been required to submit a joint application with the University of Western Australia for special educational projects for 1990?
- (4) If yes, is this a departure from the practice of previous years?

Dr LAWRENCE replied:

- (1) No. Murdoch University decided independently that several clauses of the Australian Meat and Livestock Research and Development Corporation conditions were unacceptable. This is in line with the policy of the Australian vice chancellors' committee, which has recommended that no university should accept AMLRDC contracts in their present form.
- (2) See above.
- (3) Yes. The two universities voluntarily agreed to submit joint applications for funding from the National Priority (Reserve) Fund.
- (4) This is a departure from the practice of previous years and was done in anticipation of amalgamation.

EDUCATION - PRIMARY EXTENSION AND CHALLENGE PROGRAM

Children - Selection Criteria

1600. Mrs EDWARDES to the Minister for Education:

Referring the Minister to the selection of children for primary extension and challenge, will the Minister advise -

- (a) how children are selected to attend PEAC;
- (b) from what year levels does PEAC operate;
- (c) whether these selections are revised annually or on a more regular basis;
- (d) if a child is selected using the criteria given but the child does not cope, how is she/he integrated back into the normal classroom;
- (e) if a child is selected to participate in PEAC, but does not continue to achieve in her/his normal class work, does she/he still have access to PEAC?

Dr LAWRENCE replied:

- (a) Schools have responsibility for determining which students should participate in PEAC courses. They do this each time courses are offered by nominating students for a course on the basis of criteria formulated by PEAC teachers. Schools have to consider the academic needs and abilities of their students in relation to the specific demands of the various courses of study being offered by the PEAC centre.
- (b) Schools can nominate students in years 5, 6 and 7 for PEAC courses except in those country districts where schools have historically operated the program for students in years 6 and 7 only.
- (c) Schools are asked to reconsider their nominations each time a new course or set of courses is offered. It is most common for courses to run for 10 weeks but course length may vary according to the requirements of the course objectives.
- (d) PEAC teachers provide feedback to class teachers if students have had difficulty coping with a course. The class teacher carries the responsibility for any future nomination. Being released from class for PEAC is similar to being released for special music studies - for example, choir - special physical education, etc.
- (e) The school decides on the basis of its responsibility to the child. PEAC teachers may initiate a dialogue on the educational needs of any student about whom they become concerned.

EDUCATION - PRIMARY EXTENSION AND CHALLENGE PROGRAM

Teacher Appointment - Selection Criteria

1601. Mrs EDWARDES to the Minister for Education:

Will the Minister advise me of the selection criteria for appointment of a primary extension and challenge teacher?

Dr LAWRENCE replied:

Each year expressions of interest are called from teachers interested in working as a PEAC teacher. Applicants are asked to provide information about their teaching experience, qualifications, areas of interest and expertise, and any other information they consider relevant.

Districts which need to replace a PEAC teacher are asked to submit recommendations for an appointment. Districts are advised that they may form small panels to interview applicants to arrive at their recommendations. Human resources services consider each recommendation and if there is no reason why the recommendation cannot be accepted the recommended applicant is appointed.

There is no set term of appointment for PEAC teachers.

EDUCATION - PRIMARY EXTENSION AND CHALLENGE PROGRAM *Staff-Pupil Ratio*

1602. Mrs EDWARDES to the Minister for Education:

Referring to the primary extension and challenge program, will the Minister advise -

- (a) what is the staff/pupil ratio and how was this figure arrived at;
- (b) whether support services such as teachers aides and secretaries are provided to PEAC and, if so, what formula is used;
- (c) whether staff of a PEAC centre are attached to a school, or are they independent of the school?

Dr LAWRENCE replied:

- (a) The staff/pupil ratio for a particular course is based on an average of 20 students per course. Some PEAC teachers run courses for more than 25 students. Other courses may provide for less than 20, particularly where resources or the nature of the course cannot accommodate more, or where all the places on offer are not filled. This ratio was arrived at by reaching a reasonable balance between the need to provide effective teaching for talented students and the need to utilise the available teaching resources efficiently, and with regard to the workload of regular classroom teachers.
- (b) Extra school assistant time is provided to schools with PEAC centres mainly to assist with the typing and despatch of course outlines to schools. 0.1 is provided to centres with less than one full time PEAC teacher; 0.2 is provided to centres with one or two full time PEAC teachers.
- (c) PEAC staff are attached to a school; however, if they transfer out of the program they have no automatic right to return to classroom teaching at the school in which they have been working as a PEAC teacher.

Each district is given an annual PEAC establishment to be located at a school or schools within the district. Schools can negotiate the relocation of a PEAC centre within their districts, in which case the PEAC teacher would have to transfer to the new location.

EDUCATION - PRIMARY EXTENSION AND CHALLENGE PROGRAM *Courses - Content Determination*

1603. Mrs EDWARDES to the Minister for Education:

Referring to the courses offered by the primary extension and challenge program, will the Minister advise -

- (a) how the courses and their content are determined;
- (b) what link are these courses to the general syllabus offered in primary schools?

Dr LAWRENCE replied:

- (a) Guidelines provide a framework for the development of appropriate extension courses. PEAC teachers have a professional responsibility to ensure that courses and content are appropriate. Course outlines are previewed by school principals or management committees and are presented to all schools before courses are run. Schools can provide feedback to the PEAC teacher or to a PEAC teachers' principal or management committee.
- (b) PEAC courses are designed to extend and enrich the school curriculum. They focus on core academic areas not addressed by primary art, music, drama and physical education specialists. Typically courses extend the school curriculum in the areas of language and communication, mathematics, science and social studies but also focus on thinking and problem-solving techniques, decision making, knowledge acquisition skills and tool skills - for example, the use of computers.

EDUCATION - PRIMARY EXTENSION AND CHALLENGE PROGRAM

Courses - Days, Hours and Periods of Operation

1604. Mrs EDWARDES to the Minister for Education:

Referring to the operation of primary extension and challenge courses, will the Minister advise -

- (a) on what days do PEAC courses operate;
- (b) what are the hours of operation;
- (c) for what periods during the year do the PEAC courses operate?

Dr LAWRENCE replied:

- (a) In general, PEAC courses can operate on any school day; however, all PEAC teachers are allowed some non-contact course preparation and organisational time, which tends to be scheduled on Fridays to facilitate networking. Special focus PEAC courses may be run on weekends - for example, camps - or extend out of school hours - for example, field trips or excursions.
- (b) PEAC teachers are expected to work the same hours as regular class teachers. Morning instructional sessions are typically 2.5 hours or longer and afternoon sessions two hours or longer. PEAC teachers may also assist schools in an advisory role.
- (c) PEAC centres are open for the whole school year. At the request of schools PEAC teachers do not begin courses from the beginning of term 1 but begin four to six weeks in. During that period PEAC teachers visit schools and provide information about the program and academic extension in general and discuss the needs of students with high academic potential. Typically, if all courses are being changed at the one time there is a course-free week between the end of one round of courses and the beginning of the next round.

The timetabling and scheduling of courses throughout the year is managed by district committees which can alter the service profile to schools in accord with school needs.

EDUCATION - PRIMARY EXTENSION AND CHALLENGE PROGRAM

Children - Participation Statistics

1605. Mrs EDWARDES to the Minister for Education:

- (1) How many children participated in the primary extension and challenge program in -
 - (a) 1988;
 - (b) 1989?
- (2) How many children are anticipated to participate in the PEAC program in 1990?

- (3) How many children meet the selection criteria for the PEAC program but are not offered places?

Dr LAWRENCE replied:

- (1) (a) Attendance records are kept locally. Provision was made for five per cent of the year 5, 6, 7 population in all districts except Kimberley, Merredin and Narrogin.
 (b) Attendance records are kept locally. Provision was made for five per cent of the year 5, 6, 7 population in all districts except Kimberley and Merredin.
 (2) Approximately 2 700 students.
 (3) Other than where a school considers nomination not in the best interest of a student there is no reason why the PEAC program cannot provide for five per cent of the year 5, 6, 7 population - except in the Kimberley and Merredin districts, where the program has yet to be established.

EDUCATION - PRIMARY EXTENSION AND CHALLENGE PROGRAM

Courses - Advice

1606. Mrs EDWARDES to the Minister for Education:

Will the Minister please advise the different types of courses offered within the primary extension and challenge program?

Dr LAWRENCE replied:

Courses offered at PEAC extend the general curriculum in the areas of language and communication, mathematics, science and social studies. Courses are designed to provide stimulation and challenge, to introduce content areas not generally covered in regular classes - for example, astronomy and electronics - and as a vehicle for the development of knowledge acquisition and research skills, thinking and problem-solving skills, tool skills like computing, and evaluation and decision making skills.

Course examples include -

Environmental Investigations
 Logo II: Advanced graphics applications
 Electronics
 Genealogy: Your family tree
 Mediaeval History
 Performance Poetry
 Solar Science
 Surveys and Statistics
 Orienteering, Surveying and Navigation
 Media: Radio
 Italian
 Writers Workshop
 Marine Biology
 Meteorology

EDUCATION - PRIMARY EXTENSION AND CHALLENGE PROGRAM

Centres - Names and Location

1607. Mrs EDWARDES to the Minister for Education:

Will the Minister list the names of the primary extension and challenge centres and where they are situated?

Dr LAWRENCE replied:

Primary extension and challenge centres are located at the following schools -

Albany SHS
 Armadale Education Office
 (Outreach program)

Nth Kalgoorlie PS
 Katanning PS
 Kelmscott PS

Avonvale ESC
 Balga PS
 Busselton PS
 City Beach PS
 Coodanup HS
 Cooke Point PS
 Deanmore PS
 East Hamilton Hill PS
 East Narrogin PS
 Embleton PS
 Esperance PS
 Geraldton PS
 Gingin DHS
 Graylands PS
 Helena Valley PS

Lesmurdie PS
 Maddington PS
 Manjimup PS
 Melville PS
 Millars Well PS
 Moora PS
 Newman PS
 North Beach PS
 Orelia PS
 Rockingham SHS
 Rossmoyne PS
 Springfield PS
 Sth Bunbury PS
 Wilson PS
 Wilson Park PS

EDUCATION - PRIMARY EXTENSION AND CHALLENGE PROGRAM

Cost

1608. Mrs EDWARDES to the Minister for Education:

Will the Minister advise the cost per annum of the primary extension and challenge program for 1988-89 and the estimated cost for 1989-90?

Dr LAWRENCE replied:

In 1988-89, 29.3 PEAC teachers were employed at 33 locations in 26 districts. The operational cost of the PEAC program in 1988-89 amounted to \$72 600.

In 1989-90, 30 PEAC teachers are being employed at 35 locations in 27 districts. The operational cost of the PEAC program in 1989-90 amounts to \$85 500.

EDUCATION - RELIEF TEACHERS

Internal Relief Rates - School Payments

1609. Mrs EDWARDES to the Minister for Education:

Will the Minister advise if internal relief rates are being paid by all schools where -

- (a) the relief is being carried out by part time teachers in excess of the number of hours employed;
- (b) the relief is being carried out by a teacher in excess of the 32 hours employed?

Dr LAWRENCE replied:

- (a) Internal relief rates are not being paid to part time teachers in excess of the number of hours employed. Part time teachers who are employed in excess of their number of hours are paid at external relief rates.
- (b) Internal relief rates are paid to teachers who carry out relief duties in excess of the 32 hours employed. Any full time teacher who works during his/her DOTT time is paid at internal relief rates.

BRITANNIA PRIVATE HOTEL - YOUTH HOSTEL PROPOSAL

Fire Escape - Authoritive Inspection

1611. Mr GRAYDEN to the Minister for Police and Emergency Services:

As it is apparently proposed that the Britannia Private Hotel at 25 William Street, Perth, is to be used for a youth hostel -

- (a) has the fire escape system at the hotel been inspected of late by responsible authorities;
- (b) if so, is it deemed adequate for a hostel accommodating 180 or so young persons?

Mr TAYLOR replied:

- (a) Yes.
- (b) The WA Fire Brigades Board has recommended work and installations which, when completed, will provide a fire escape system adequate for the purpose.

QUESTIONS WITHOUT NOTICE

GRAIN TRANSPORT - GOVERNMENT AGREEMENT

No Formal Signature - Misleading Answer

278. Mr McNEE to the Minister for Transport:

On Tuesday, 31 October, I asked the Minister for Transport about the Government's Press statement saying that a five year agreement on grain transport had been signed. It is now apparent that no formal signing has been done, therefore no benefits will be available to the State's wheat growers at this stage. What action does the Minister now propose to take as the Government's answer at this stage appears to be misleading?

Mr PEARCE replied:

This is amazing, because the statement made in this House about that matter was made by the member for Moore. If any statement was misleading, it was his. My understanding is that an agreement has been reached between Westrail and the negotiators on behalf of the Grain Freight Steering Committee.

Mr MacKinnon: You said the agreement had been signed.

Mr PEARCE: I did not. The member said that in his question. Members of the Liberal Party are misunderstanding the position of their Federal colleague. I spent some time this morning on ABC radio trying to explain the situation to Wilson Tuckey, and it was not all that easy.

Mr MacKinnon: My understanding is that the agreement was signed late last week.

Mr PEARCE: That is my understanding too.

Mr MacKinnon: You were wrong.

Mr PEARCE: If the member reads the question -

Mr Blaikie: We are reading your answer.

Mr MacKinnon: My understanding is that the agreement was signed late last week.

Mr PEARCE: My understanding is that the agreement was signed late last week. It still is my understanding that the agreement was signed late last week. The Leader of the Opposition is misunderstanding the argument Mr Tuckey is putting forward.

Several members interjected.

The SPEAKER: Order!

Mr PEARCE: The report given to me by Westrail was that agreement on a rate had been reached between Westrail and the negotiators for the Grain Freight Steering Committee.

Mr MacKinnon: That is not saying that it has been signed. The member asked you a specific question, "Has it been signed?"

Mr PEARCE: I said my understanding is that it was signed late last week.

Mr Blaikie: If you read page 76 of Tuesday's *Hansard* you will see that you are wrong.

Mr PEARCE: Members are asserting that I am wrong. I shall be happy to check whether an actual signature has been put to the agreement as distinct from the agreement being reached. If a lawyer such as the member for Cottesloe were

here he could explain to members opposite that once an agreement has been reached, that is that, in contractual terms.

Several members interjected.

Mr PEARCE: The member should read the next part of the answer. I pointed out that I was not present at the time the agreement was reached, but it has been reached.

Mr Blaikie: Why did you put out a Press release saying it had been signed?

Mr PEARCE: That was the advice I had received from Westrail.

Opposition members: You were wrong.

Mr PEARCE: Wait a minute. I had a report from Westrail that an agreement had been reached. Westrail provided me with a draft Press release which I then put out on behalf of Westrail.

Mr MacKinnon: Blame the department.

Mr PEARCE: I am not blaming the department.

Several members interjected.

Mr PEARCE: What is the evidence for the proposition that the agreement has not been signed?

Mr Blaikie: Come on! You are the Minister.

Mr Clarko: Has it been signed?

Mr PEARCE: I have been advised by Westrail that agreement has been reached. That is what I said - that agreement had been reached on the grain rate.

An Opposition member: You are quibbling.

Mr PEARCE: This is what it says: "My understanding is that the agreement was signed late last week, although I did not attend it."

Mr Blaikie: That is not what was put in the Press release.

Mr PEARCE: Members have failed to understand what their colleague, Wilson Tuckey, is saying. An agreement has been reached between the negotiating committee for the Grain Freight Steering Committee and Westrail on the rate. My understanding still is that that agreement has been signed.

Mr MacKinnon: Would you apologise if it has not been?

Mr PEARCE: I shall be happy to look at it, but I fail to see the point being made. What was being argued by Wilson Tuckey on the radio this morning was quite a different proposition.

He was saying that there is no agreement with the Australian Wheat Board, and he made great play of the fact that the Australian Wheat Board had not been involved in making this arrangement. I had that checked with Westrail today, and this is what I discovered: The Australian Wheat Board has two representatives on the Grain Freight Steering Committee, and they appoint negotiators who negotiate the freight rate, and the agreement about that was made at a meeting between Westrail and the negotiators with the Grain Freight Steering Committee last week, and wrapped up on that point.

Mr Tuckey is saying - and I understand members opposite to be saying now - that negotiations are still going on with the Australian Wheat Board and that there is no signed agreement with the Australian Wheat Board. I suppose that is true, but only in the sense that the Australian Wheat Board is not the group that negotiates the freight rate for grain with Westrail. The group is the Grain Freight Steering Committee, on which the board is represented.

The SPEAKER: Order! I know it is not appropriate for me to ask a question, but would I be right to assume that the Minister is about to bring his answer to a close?

Mr PEARCE: Yes, I guess I am -

Mr Blaikie: Saved by the Speaker!

Mr PEARCE: It is not a question of that.

The SPEAKER: Order! I am sure there are other people who want to ask questions.

Mr PEARCE: Every time I answer a question another is asked from someone on the other side. This is the clear position: An agreement has been reached and as a result of that a rate has been struck. That rate has been publicised. Mr Wilson Tuckey is wrong in his contentions about this, and if members opposite are following Mr Tuckey they are wrong too.

STATE ENERGY COMMISSION - SOLAR ENERGY RESEARCH
Funding Allocation - Source

279. Mr COWAN to the Minister for Fuel and Energy:

- (1) The Minister announced yesterday - and I commend the Government for the announcement - that \$250 000 would be made available for solar energy research from the State Energy Commission of Western Australia. This amount has not been appropriated in the Budget, as far as I can see. How will the Minister provide this unbudgeted amount, and will it or part of it be used for the purpose of funding the newly announced research advisory council that the Minister also stated yesterday would be put in place? In other words, is the \$250 000 to be used for research or to fund the Renewable Energy Advisory Council?

Mr CARR replied:

The budget for SECWA is not part of the Consolidated Revenue Fund. It has a budget of some \$1.5 billion and out of that budget an allocation will be made by SECWA directly to the Renewable Energy Advisory Council. That council, which I announced yesterday, will have a range of responsibilities in terms of giving advice to Government concerning renewable energy. One of its functions will be to administer that grant of \$250 000, the substantial part of which I would expect to see allocated for research and demonstration projects relating to renewable energy. We are talking about one allocation of \$250 000. A small part of that will involve the administration of the council; the vast part of it will be allocated to those projects to which I have referred.

RECYCLING - GOVERNMENT PROPAGANDA CAMPAIGN
Companies - Financial Support, Government Request

280. Mr MacKINNON to the Premier:

- (1) Was the Premier aware of an approach made by the Executive Director of the Ministry of the Cabinet and Public Sector Management, Mr Ross Field, by letter sent to companies on 31 October requesting financial support for the Government propaganda campaign launched on recycling today, requesting an answer by 3.30 pm on the same day?
- (2) How many companies were approached to support that campaign?
- (3) How many have agreed to contribute to the campaign?
- (4) What will be the total cost to taxpayers of the propaganda campaign?

Mr PETER DOWDING replied:

(1)-(4)

I was amazed today when I went out to launch what I think is a very good community campaign to encourage the community to become involved in recycling. I cannot imagine anything further from politics than that sort of campaign to encourage the community to get into the business of recycling. Does anyone in this House see that as undesirable?

I was absolutely astounded at what I found when I got out there. Representatives of industry were being very supportive of it, from the glass

and plastics industries and the other industries that are already heavily involved in recycling, to some of the industries to which we have given a great deal of assistance, and even to the Good Sammies, which is a fantastic organisation, which has changed its mode of operation and has gone out of the business of being mendicants and into the business of creating a sound commercial environment for people who are able to take useful jobs - and the Minister for Health has done a great job of a program involving the changes in the Federal attitude to such workplaces. However, despite that very good feeling from industry I found that the Leader of the Opposition had issued the most incredible Press release, which embarrassed everybody there, slamming the Government for some misbehaviour in suggesting that the publicity campaign in launching this recycling project might be a campaign to which some industries would like to make a contribution.

I must tell the Leader of the Opposition that no-one took him seriously - no-one from industry or from the media. I said when I was asked that it was just a new and innovative way of knocking something. However, the most incredible thing was that when I actually asked what was the evidence for this sort of claim by the Leader of the Opposition of heavying, no one could produce any. All they could produce was a letter which outlined in detail the Government's proposal and asked whether the companies were interested in participating.

Mr Kierath: To the tune of \$50 000.

Mr PETER DOWDING: What is wrong with that? It is a major project and is in the interest of the community. Some companies out there are heavily involved in recycling. We want to encourage them and we want them to encourage us in the recycling activity.

Mr Lewis: You gave them three hours to answer.

Mr PETER DOWDING: What rubbish! The amazing thing was - and I did not want to point the bone at some of the Opposition's heavies out there - that it was not industry that was upset about it; it was one of the Liberal Party's stooges. That is the truth.

Mr Lewis: Who was that?

Mr PETER DOWDING: I will have the decency not to name him.

Mr Lewis: Why mention it?

Mr PETER DOWDING: I will not name him, but I am telling the Opposition that it was not the industry. The relationship between this Government and the industry is good, and we are proud of that. The relationship between this Government and recycling industries is good, and we are proud of that, too, and we will make it better.

I tell the Leader of the Opposition that what people in the community cannot understand is why he cannot, for once, acknowledge that there is something decent going on in the community.

STATE PLANNING COMMISSION - MEETINGS *Members' Non-attendance - Ministerial Directive*

281. Mr LEWIS to the Minister for Planning:

(1) Is it a fact that in recent times the Minister directed, by letter, certain members of the State Planning Commission not to attend a previously scheduled meeting?

(2) If yes to (1), what was the reason for such a ministerial directive to be made?

Mrs BEGGS replied:

(1)-(2)

I have never directed any member of my staff not to attend meetings, at any time, on any occasion.

Mr Peter Dowding: Don't give her a threatening eye across the Table. Produce your evidence, you little slimebag.

Mr Lewis: You have the evidence. You know -

The SPEAKER: Order!

Several members interjected.

Mr Lewis: Slimebag! You!

The SPEAKER: Order!

Mr Peter Dowding: He is giving her the eye.

The SPEAKER: Order! I was about to call on the Premier to withdraw his statement; however, on reflection, although one went each way, it really does not make it right. I want to draw your attention to the fact that I am not happy about that sort of terminology being used in this place. Let us just get on with the questions and answers.

It is hot this afternoon. We have about 10 minutes to go; perhaps we should continue without getting too angry.

FISHING - TUNA QUOTAS

Government Purchase - Re-selling Consideration

282. Mr AINSWORTH to the Minister for Fisheries:

(1) Has the Government considered re-selling to current Western Australian tuna fishermen the tuna quotas which the Government purchased during the restructuring of the industry a few years ago?

(2) If not, why not?

Mr GORDON HILL replied:

(1)-(2)

The Government intends to continue with the arrangements of the past in relation to the tuna industry. The Federal Government has been undertaking negotiations with the Japanese Government, in particular, in an attempt to come to different arrangements in relation to quotas for the southern bluefin tuna. Negotiations recommence on 14 November. I believe the Japanese quota will be reduced, but I am not sure whether the Australian quota will be reduced at the same time; if that is the case, our quota will be reduced also. In relation to the future sales of leases we hold, I have indicated to the industry that when leases expire the fishermen will have the first opportunity to purchase them.

DAIRYING - HARVEY FRESH

Dairy Farmers - Supplies Purchase, Government Directive

283. Mr BLAICKIE to the Minister for Agriculture:

(1) With the introduction of Harvey Fresh as a milk processor why has the Government directed certain dairy farmers to supply that company?

(2) Why did not the Government ensure that the company could purchase its requirements on the open market similar to other processors?

Mr BRIDGE replied:

(1)-(2)

I would like to answer the question posed by the member for Vasse but I do not understand it. I do not have a clue about what he is saying. Perhaps the member could ask the question again or put it on notice.

Mr Blaickie: Harvey Fresh starts processing this week, and people have been directed to supply milk to that company. You are the Minister for Agriculture!

Mr BRIDGE: Yes, but I have not directed anybody to supply Harvey Fresh with anything.

Mr Blaickie: So the open market will prevail?

Mr BRIDGE: Let us get this straight; the member has been nibbling around the edges of the question. Why does he not say what he really thinks about Harvey Fresh? I have been asked several questions recently; I will repeat what I have said before: Harvey Fresh is coming into the dairy industry; that is a very well established situation. Harvey Fresh has been negotiating with the Dairy Industry Authority in respect of an agreement about its entry into the industry. As far as I am concerned, it is proceeding along those lines.

Mr Blaikie: Why direct people to sell milk to that company?

Mr BRIDGE: Negotiations are taking place between the Dairy Industry Authority and Harvey Fresh. I am not involved in that exercise.

Mr Blaikie: You are the Minister!

Mr BRIDGE: What have I to do with the Dairy Industry Authority? Does the member want me to run around and milk cows as well?

PIGS - CANADIAN IMPORTS

Western Australian Industry - Effects, Government Action.

284. Mr McNEE to the Minister for Agriculture:

Following my representations to the Minister on 6 October over the import of Canadian pig meat to Australia and the Minister's subsequent reply, what action has he taken with the Federal Government and what further action does he propose to ensure the Western Australian pig industry is not adversely affected either with exotic disease or by unfair trading?

Mr BRIDGE replied:

I have had discussions with the industry representatives and, as a result, I have received a clear picture of the extent of the concerns which the industry in Western Australia has about this matter and the way in which I should reflect those concerns to the Federal Minister for Primary Industries, Mr Kerin. I have done that; I have written to Mr Kerin and explained clearly the major concerns held in Western Australia and that because of those concerns a review of the situation should be undertaken by the Federal Minister.

Mr McNee: Is that all you will say to the meeting tomorrow?

Mr BRIDGE: No. In the course of discussions with industry representatives I asked for the parameters within which I should make representations; it was on that basis they said I should act. I have done that; it is up to the Federal Minister to respond. If he responds in an unsatisfactory way of course I will proceed to argue the case. I do not intend to leave the matter there but in fairness to the Federal Government it should have the opportunity to respond.

McKENZIE, MR BILL - WILLMOTT, MR PETER

Metropolitan Planning Council Meetings - Non-attendance, Ministerial Directive

285. Mr CLARKO to the Minister for Planning:

(1) Did the Minister direct Mr Bill McKenzie and Mr Peter Willmott, while they were members of the State Planning Commission, not to attend meetings of the Metropolitan Planning Council of which they were also members?

(2) If yes, why?

Mrs BEGGS replied:

(1)-(2)

No.

GOLD REFINERY - AIRPORT LOCATION

Recent Opening - Non-operational

286. Mr COURT to the Premier:

Why is the new Gold Refinery, which the Minister recently opened at the airport, not operating when it has been completed for some months?

Mr PETER DOWDING replied:

The management and arrangements for that are with the board of GoldCorp. If the member would like to wait I will ask what are its plans. I have not been given any information about that.

STATE ENERGY COMMISSION - MUJA POWER STATION EMPLOYEES

Taxi Transport - Increased Costs, Allowance

287. Dr TURNBULL to the Minister for Fuel and Energy:

Can the Minister advise if SECWA has made any allowance for the increased costs incurred by men from the Muja power station catching taxis home from Bunbury to Collie instead of using the recently commenced subsidised bus service?

Mr CARR replied:

I am having difficulty understanding the question; I am not sure of the relationship between taxi fares and the new bus service.

Dr Turnbull: When a man is required to do overtime and cannot return home on the bus, the Muja power station will return him to home at Bunbury or Australind in a taxi.

Mr CARR: I am not sure of the answer to this question. I suggest that the member place the question on the Notice Paper, and I will ensure that a detailed answer is provided.

McKENZIE, MR BILL - RETIREMENT PAYMENT

Reasons - Premier, Information Non-disclosure

288. Mr MacKINNON to the Premier:

- (1) In answer to question 1115, the Premier indicated he would not provide information relating to the retirement payment to Mr Bill McKenzie, the former chairman of the State Planning Commission. Given that Mr McKenzie retired and did not serve his full contract, why would he be paid any redundancy moneys?
- (2) Why will not the Premier provide information to Parliament, bearing in mind Mr McKenzie was a public officer and the payments made to him either during employment or at retirement should be a matter of public interest and record?

Mr PETER DOWDING replied:

(1)-(2)

The Leader of the Opposition's desire to have everything laid out in public is, I must confess, relatively new found; it is not reflected in the practice which I understand has been in place for many years. I have been advised by senior officers of my department - I have no reason to doubt them - that whenever payments are being made they are not the subject of a public statement. So in this circumstance I do not think I should break the convention; it does not add anything to the issue of accountability. These matters are approved by the Public Service Commissioner and/or by the head of my department. There have been discussions with me on the occasions they have been entered into.

Mr MacKinnon: Was it discussed with you?

Mr PETER DOWDING: Yes it was; although at times they have been entered into without reference to me, although I stand to be corrected on that. I do not see any reason for diverting from that longstanding practice. If the Leader of the Opposition has a particular concern, I am happy to have it investigated. I think that the convention has some value when people are retiring and I do not believe that convention should be changed.

Mr MacKinnon: What about Mr Horgan?

Mr PETER DOWDING: That is different. The Treasurer has reminded me that we do not announce what parliamentarians receive from their superannuation when they retire. It is a convention worth adhering to, and I see no reason to depart from it. It was in force when the Liberal Party was in power and it should continue.
