



WESTERN AUSTRALIA

# **Parliamentary Debates**

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LEGISLATIVE ASSEMBLY

Tuesday, 11 November 1997

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

## ROYAL COMMISSION - CITY OF WANNEROO

### *Final Report - Release of Video and Sound Recordings*

**THE SPEAKER** (Mr Strickland): I advise members that permission has been given for the vision and sound from the parliamentary televising system to be made available to television and radio stations during the presentation by the Premier of the final report of the Royal Commission into the City of Wanneroo.

### *Point of Order*

Mr RIPPER: I note your advice to the House that the presentation by the Premier of his ministerial statement on the tabling of the report of the Wanneroo Inc royal commission will be available for television stations to access. Will similar arrangements be made for the response of the Leader of the Opposition, which I understand will follow immediately on the Premier's presentation?

The SPEAKER: Order! There is no point of order.

### *Debate Resumed*

The SPEAKER: Order! I have had a request from the television stations. I have examined past precedents. They indicate that approval has been granted.

Dr Gallop: You are the Speaker now. That is the first bad decision you have made, Mr Speaker.

The SPEAKER: Order! I formally call the Leader of the Opposition to order for the first time. It is highly disorderly to interject when I am on my feet. As I have said, I have given approval. The matter of whether a request will be granted to allow television footage while the Leader of the Opposition is giving his statement has not been considered, but the answer under precedence will be no.

**MR BARNETT** (Cottesloe - Leader of the House) [2.06 pm]: Mr Speaker, further to the ruling, which of course is at your discretion, should the Opposition make a request for television coverage of the response of the Leader of the Opposition, I make it clear that the Government will in no way object.

### *Motion*

**MR COURT** (Nedlands - Premier) [2.07 pm] - by leave: I move -

That this House authorises the publication of the final report of the Royal Commission into the City of Wanneroo, September 1997.

The Governor has received from Royal Commissioner Davis the final report into the City of Wanneroo. This report was commissioned by the Governor and inquired into matters in respect of the Wanneroo City Council, its committees and members during the period 1 May 1986 to 30 June 1992.

The royal commission has found no evidence of systemic corruption in the City of Wanneroo; however, there are findings of corrupt behaviour by individuals and widespread use of improper practices involving councillors and council staff. The corruption was confined to the activities of Dr Wayne Bradshaw, Mr David King and some of the developers with whom they did business.

Before I table this report, I remind members of the history of this investigation and of the findings already made by the royal commission in its interim report. I will then draw members' attention to the findings and recommendations made in the final report.

History: In January 1992, the then Minister for Local Government appointed Mr Peter Kyle to conduct an inquiry into the operations of the City of Wanneroo from May 1986 to May 1991. The Kyle report was tabled in Parliament on Friday, 4 December 1992. Central to the recommendations made in the Kyle report were specific directions to improve the policies and procedures in the administration of the City of Wanneroo.

The Local Government Act 1995 introduced by this Government has gone a long way towards addressing those recommendations by requiring local government authorities, including the City of Wanneroo, to introduce new accountability provisions into their administrative practices and procedures.

As a consequence of the findings of the Kyle inquiry, further investigations were carried out into the conduct of

former councillors Bradshaw and King. The result of these investigations was that the Director of Public Prosecutions recommended that charges of corruption be brought against these two councillors. Following the investigation of these charges, King and Bradshaw were prosecuted and found guilty of corruption. Both served prison sentences for their corrupt behaviour. However, interest in matters investigated by Mr Kyle continued. From 1994 we witnessed in this House an almost non-stop barrage of attacks by the Opposition upon members of the Government associated with the City of Wanneroo. In response, the Government urged members of the Opposition to take their evidence of wrongdoing to the appropriate authority. The Director of Public Prosecutions investigated the Opposition's claims and responded by issuing a statement on 10 August 1994. In this statement he said that the allegations were unsubstantiated and based on gossip, rumour and smear. He effectively said to all those making serious allegations to either put up or shut up.

However, despite this definitive statement by the DPP, the Opposition continued under the protection of parliamentary privilege to air unsubstantiated allegations. By raising unsubstantiated allegation after unsubstantiated allegation, the Opposition had by this time convinced the media that members of the Government, in particular the member for Kingsley, had been involved in some form of corruption in the City of Wanneroo.

With reference to a break-in to his parliamentary office, the member for Fremantle on 25 September 1995 said on ABC radio that the building was where they kept their material relating to Wanneroo in particular, and he was sure that Wayne Smith and Cheryl Edwardes would be horrified if it became public.

The matter was investigated by the Acting Commissioner of Police who then reported that the member for Fremantle was not in possession of any material or information that would assist the police in the Wanneroo investigation. The matter reached its lowest point when *The West Australian* stated in an editorial dated 16 September 1994 on the issue that the most remarkable quality Attorney General Cheryl Edwardes had shown in her short ministerial career was the survival instinct of a political cockroach.

On 4 October 1995 the Minister for Local Government asked Mr Kyle to conduct a further inquiry into matters concerning the City of Wanneroo council. Following a Supreme Court decision of 9 February 1996, Mr Kyle could no longer serve this inquiry and was replaced by Mr Roger Davis. On 12 March 1996, the Government reconstituted the local government inquiry as a royal commission, following a request from Mr Davis and counsel assisting, Ms Johnson, who were concerned that they should have full indemnity against liability.

On 24 April 1996 the royal commissioner requested an extension of time to present his report on 30 April 1997. When making this request he indicated that he would be in a position to present an interim report covering a number of matters that were closest to being ready for hearing by August 1996. The request for an extension of time was duly granted, and the royal commissioner presented his interim report on 30 August 1996. Subsequent requests for further extensions of time were granted to enable the royal commissioner to deliver his final report by 26 September 1997.

The interim report of the royal commission was tabled in this House on 3 September 1996, as members will recall. This report cleared the member for Kingsley of the serious allegations made against her by opposition members, and in particular by the members for Fremantle and Peel. The Opposition reacted to these findings by saying that any damage to the member for Kingsley and her family was not the fault of the Opposition, but was the fault of the Government. The member for Fremantle said on 4 September 1996 -

Any hurt to the former Attorney General's family comes back to the Premier's negligence in refusing to properly investigate these matters . . .

It is the Premier who should wear the blame for any hurt and hardship the former Attorney General has suffered.

The Opposition, the media and the public of Western Australia had already been told quite unambiguously by the Director of Public Prosecutions in August 1994 that the allegations raised against the member for Kingsley had no substance. In his August 1996 interim report the royal commissioner confirmed the DPP's statement by making it abundantly clear that the allegations directed against the member for Kingsley were based on gossip, rumour, smear and innuendo. The royal commissioner in his concluding remarks in the interim report captured the essence of this matter -

The allegations were widely and indiscriminately disseminated. Those responsible exercised no care or consideration for the truth. The motivation appears in a number of cases to have been a desire to score political points at both State parliamentary and local council levels. Others appear to have acted from ignorance. In all a great deal of the Commission's time has been spent investigating matters that should never have been seriously in doubt.

That was still not enough for opposition members to say that they had made a mistake, and that the allegations the

members for Fremantle and Peel had been nurturing and developing over a two and a half year period were wrong and without substance. The member for Fremantle told this House on 4 September 1996 -

Other charges are to be laid. An enormous number of matters at Wanneroo are still to be inquired into.

He also said that I knew the final report would be embarrassing to the Government.

The member for Belmont continued, in support of his then leader, and said -

Still to be investigated is the extent to which the Minister for Family and Children's Services knowingly, or unknowingly, received campaign financing from the proceeds of corrupt payments. Members of the Opposition are not the only people saying it is quarter time and serious matters remain to be investigated; . . .

In the royal commissioner's words, more substantive matters of alleged corruption remain to be investigated.

The final report: After delivering his interim report, the royal commissioner requested that the Governor extend his terms of reference to include two additional matters which were the subject of public concern. One of these matters concerned the relationship between Mr Colin Edwardes while he was a City of Wanneroo councillor and the Vietnamese community of Perth. The other concerned an allegation that the member for Kingsley, as Attorney General, had improperly interfered in the application for appointment as a justice of the peace on the part of a leader of the Vietnamese community.

Over the course of the inquiry the royal commissioner investigated 113 separate lines of inquiry and took evidence from 244 people, examined 950 exhibits of evidence and analysed 14 400 pages of proceedings. The cost to date of the royal commission is \$5.024m.

The royal commissioner states in the report that where an allegation which was serious and had previously been made public, and after being investigated was found to be without substance, the matter was dealt with in a public hearing in order to clear the names of those involved. Given the nature and genesis of so many of the allegations considered by the commission, clearing the names of persons subject to baseless accusations, in some instances over a long period, was regarded by the royal commissioner as of equal importance to the exposure of corrupt and improper conduct.

A number of matters after preliminary investigation by the commissioner were found to fall outside the terms of reference and not to warrant further investigation. The royal commissioner sets out some issues that he considers require explanation on how they were dealt with and resolved by the commission. Others which were found to be outside the commission's terms of reference but worthy of further investigation were referred to the appropriate authority such as the Police Service, the Department of Local Government and the Anti-Corruption Commission.

The findings: I now turn to the findings of the royal commissioner in the final report. The first allegations that I want to address are those directed against the member for Kingsley and her husband. I do this because of remarks by the member for Peel when he said on 4 September 1996 that he had the same difficulty in concluding that the member for Kingsley should be supported as did this royal commission. He said that this royal commission has great difficulty believing her, and it has great difficulty believing her husband.

As he did in the interim report, the royal commissioner cleared the member for Kingsley and her husband of further allegations made against them. Firstly, as indicated at page 210 in relation to King's allegation that Colin Edwardes received \$7 000 in cash from businessman Len Buckeridge, the royal commissioner found that there is no reliable evidence that any such payment was ever made.

Secondly, in relation to King's allegations regarding the Kingsley Tavern and the Greenwood Forest Hotel, the royal commissioner found, as indicated at page 231 that -

- (a) There is no evidence whatsoever to support Mr King's allegation that Mr Edwardes used his position as Executive Officer to the Minister for Racing and Gaming to assist Resolve obtain an exemption from the liquor licence moratorium.
- (b) There is no credible evidence to support Mr King's allegation that he collected envelopes containing money from either the owner of the Greenwood Tavern or the owner of the Kingsley Tavern for Mr Edwardes at any time. The allegation is consequently unsubstantiated.
- (c) The allegations are further examples of Mr King's baseless, destructive and wasteful accusations.

Thirdly, regarding allegations that Mr Edwardes passed an unknown amount of money in banknotes to Dr Phat at the Shelvock Reserve on 20 April 1991, as indicated at page 718 the royal commissioner found that -

- (a) Mr Edwardes passed an unknown amount of money in banknotes to Dr Phat at the Shelvock Reserve on 20 April 1991.
- (b) There is insufficient evidence on which to base a finding as to why the payment was made.

Fourthly, regarding the appointment of Nguyen Van Phat as a justice of the peace, as shown at page 731, the royal commissioner found that there is no evidence to suggest that Mrs Edwardes interfered in any way with the normal ministry processing of Dr Phat's application.

Fifthly, regarding the allegation that Mr Edwardes requested money in respect of lot 3 Wanneroo Road, the royal commissioner found at page 762 that -

- (d) There is insufficient evidence to support a finding that Mr Edwardes ever asked Mr Agnello for an election donation and no evidence whatever to support any adverse finding against Mr Edwardes in relation to any such payment.

Sixthly, regarding the investigation into the process followed by the City of Wanneroo leading to the construction of community amenities on Chichester Reserve, Woodvale, the royal commissioner found at page 947 that -

- (a) There is no evidence to suggest that either Mr or Mrs Edwardes exerted or attempted to exert any pressure or influence or otherwise use their respective positions to effect any change to the intentions of the Wanneroo Council with respect to the proposed facilities on Chichester Reserve.

With regard to the suggestion by the member for Belmont that the member for Kingsley had received campaign financing from corrupt funds, the royal commissioner traced payments made by Dr Bradshaw and found that a payment of \$1 813 to the member for Kingsley's 1989 campaign fund was from sources other than the corrupt payment being investigated - page 345.

Findings of corruption: The royal commission also investigated a wide range of allegations against other people. The vast majority of the allegations could not be sustained because there was either insufficient or no evidence to support the allegations.

After taking evidence from 244 people and examining 950 exhibits of evidence and analysing the 14 400 pages of proceedings, the royal commissioner did not find any evidence of systemic corruption at the City of Wanneroo over the relevant period. He did, nonetheless, find that over this six year period under investigation there were instances of corruption. The findings of corruption were as follows -

- (1) The Lilburne Road shopping centre inquiry - page 173 -
  - (b) Mr Colin Dwyer offered a bribe to Mr King, Mr King accepted that bribe, provided the service sought in return and accepted the money when it was paid. The transaction was corrupt on the part of both Mr Dwyer and Mr King.
- (2) Robert Holl's dealings with the City of Wanneroo - page 294 -
  - (e) Mr Holl paid for Mr King's trip to Bali in October-November 1989 as a reward for Mr King's support on the Council to that point and for continuing support he anticipated in the future. The payment by Mr Holl and acceptance of the gift by Mr King was corrupt. The matter will be referred to the Director of Public Prosecutions.
- (3) Woodvale shopping centre - page 348 - and also page 353, which states -
  - (j) The arrangement, payment and receipt of money referred to in findings (f), (g) and (h) above, were corrupt. The matter will be referred to the Director of Public Prosecutions.
- (4) Belridge shopping centre development - pages 580 and 581 -
  - (v) The payments by Mr Tay to Dr Bradshaw through Lobito Pty Ltd of \$50,000.00 on 13 February 1990 and \$5,000.00 on 5 March 1991 were corrupt. The payments were made for services or assistance provided by Dr Bradshaw as a councillor of the City of Wanneroo in connection with the rezoning and development of Lot 656 by Lobito Pty Ltd.
  - (z) In return for Dr Bradshaw's assistance in securing for North Whitfords Estates Pty Ltd a portion of commercially zoned land in Beldon North Whitfords Estates Pty Ltd through Mr Hinchcliff gave to Dr Bradshaw an interest in that land which Dr Bradshaw sold to Mr Tay for \$200,000.00. While the exact form of that interest has not been established,

it was intended that Dr Bradshaw would derive any benefit from the sale of the land over and above a return for North Whitfords Estates Pty Ltd which Mr Hinchcliff nominated, namely \$350,000.00. That arrangement between Mr Hinchcliff and Dr Bradshaw was corrupt.

- (aa) Mr Tay and Dr Bradshaw gave false evidence on oath to the Kyle inquiry.
- (ab) Mr Tay gave false evidence on oath to the Supreme Court of Western Australia in the course of the trial of the action against him at the suit of Mr Yamabuta.
- (5) Lot 3 Wanneroo Road - page 761 -
  - (b) Mr King solicited from Mr Agnello a bribe of \$10,000.00 and a year's supply of free petrol in return for his assistance on council to secure approval for the rezoning of Mr Agnello's property. Mr King's request was corrupt.

The following finding of improper conduct was made with regard to the town clerk and the city treasurer's conduct in obtaining payment for first class airfares for Mrs Coffey: The royal commissioner found that Mr Coffey's conduct was not only improper but possibly illegal. He found also that Mr Turkington assisted Mr Coffey and facilitated the improper payment, and he said at page 991 that -

While there is undoubtedly much to be said in mitigation of Mr Turkington's conduct, in the circumstances I believe I am obliged to refer the matter to the DPP for consideration and I intend to do so.

The Government acknowledges the royal commissioner's findings against two former City of Wanneroo councillors and others. A copy of the report has been sent to the Director of Public Prosecutions for his attention.

Where persons have already been tried, convicted and sentenced for their roles in relation to the relevant period investigated, the royal commissioner has concluded that no useful purpose would be served by investigating and conducting hearings into these matters.

In the matter where Mr Edward Hodgkinson has been charged with two counts of bribery relating to payments to Mr King the royal commission in compliance with clause 5 of the terms of reference has not investigated any matter that might impact on the trial.

Improper practices at the City of Wanneroo: While the royal commissioner did not uncover any evidence of systemic corruption at the City of Wanneroo over the relevant period, he did find evidence of widespread improper practices involving both councillors and staff of the City of Wanneroo.

Electoral donations: The commissioner believes that the problem of electoral donations is the most pressing ethical problem confronting councillors and staff of local government authorities.

The commissioner in his findings found that it is improper for a councillor to solicit an electoral donation while a prospective donor has a matter affecting its financial interests before council. He also found that it was improper for a councillor to solicit a donation from a prospective donor while an application affecting its financial interests is contemplated or has recently been approved.

[Leave granted for the member's time to be extended.]

Mr COURT: Administration of council: He examined in detail the administration of the council and identified numerous examples of improper conduct by staff members of the City of Wanneroo. The first area he examined in detail was council expenses. In this examination he found that in some respects the financial procedures adopted by the city fell short of the requirements of the Local Government Act 1960. He found when examining councillors' expenses that expenses were claimed and paid without receipts. In his findings, at pages 1018 and 1019, he found, in part -

- (c) the forms signed by councillors confirming that the expenses claimed were spent on council related business were inadequate to enable the Treasury Department to be satisfied that the expenses were in fact council related.
- (d) The systems in place at the City of Wanneroo were quite inadequate to ensure that councillors' expenses were only paid in accordance with the provisions of the Act. The City Treasurer failed in his duty to ensure that the finances of the City were protected in that respect. That failure was improper.
- (e) The policies in place at the City of Wanneroo at the material time were generous and allowed the councillors' to claim expenses which when compared with other local governments, were very

high. There was no procedure in place to assess whether the amounts allowed to councillors was justified in all the circumstances.

- (f) The failures to comply with the Act and the inadequate procedures in place at the City of Wanneroo over the material period should not have remained unchallenged for so long.

The commissioner particularly identified the town planning department of the City of Wanneroo as a place where improper work practices and administration procedures had been developed over a period of time.

He found that the town planner, Mr Oscar Drescher, and his staff had acted improperly in not revealing conflicts of interest when dealing with planning approvals and that, at times, they had concealed the role of the planning department when negotiating town planning applications between competing parties.

The most serious improper practices that the royal commissioner identified at page 577 were -

- (c) When Mr Drescher subsequently involved himself as City Planner in development applications involving North Whitfords Estates Pty Ltd an actual conflict of interest arose. Mr Drescher's failure to take active steps to make the conflict of interest known and to disassociate himself entirely from the planning applications involving North Whitfords Estates Pty Ltd was highly improper.
- (d) In his report to Council dated 24 February 1988 Mr Drescher deliberately misled councillors as to the extent of the increase in gross leasable area he was recommending for approval in relation to the Landbank rezoning application. By deliberately misleading Council Mr Drescher acted improperly.
- (j) Mr Drescher and his staff deliberately failed to keep proper records of their meetings and conversations with North Whitfords Estates Pty Ltd and Landbank staff in relation to the joint proposal negotiations in order to conceal the role of the Planning Department in those negotiations. The deliberate concealment was improper.
- (o) The lack of any Planning Department record to explain why Lobito (Mr Tay) was permitted to proceed with the development of Lot 656 when its rezoning application had not been approved reflects very poor administrative practices in the Planning Department.
- (p) Mr Drescher's report to Council dated 13 September 1989 concerning the application by Lobito Pty Ltd to rezone Lot 656 to increase the gross leasable floor area and his report dated 14 February 1990 concerning Mr Smith's application to operate a pharmacy in the medical centre on Lot 656 were inadequate and deliberately misleading. Mr Drescher deliberately misled Council as to the history and significance of the existing zoning restrictions on Lot 656 in order to conceal his role in the formation of the agreement by which they were created. His conduct in doing so was improper.

I have today written to the Public Sector Standards Commissioner and the chief executive officer of the Public Sector Management Office bringing to their attention the findings of the final report. I have also written to the Minister for Local Government to bring to his attention the findings of improper conduct against council officers named in the final report. In each instance of improper conduct I have requested that the Minister and these officers consider what action might be taken in respect of the public officers and council officials named in the Royal Commissioner's final report.

**Factions:** He found that there were factions operating in the council over that period, one of which was led by Dr Bradshaw. There was no evidence to suggest that members of Dr Bradshaw's faction, other than Dr Bradshaw himself and Mr King, were corrupt. There was no evidence to suggest that members of Dr Bradshaw's faction even voted as a block on all occasions.

**Recommendations:** The Royal Commissioner concludes his report with a set of recommendations. These recommendations are detailed in full at pages 1087 to 1090 of the final report and can be summarised as follows -

**Conflicts of interest:** The Royal Commissioner believed that after the problem of electoral donations the issue of conflict of interest is the most pressing ethical problem confronting councillors and staff of local council authorities. He says that the new Local Government Act does not significantly improve on the conflict of interest provisions of the old Act. The new Act does not address pecuniary interests unconnected to the matter under consideration but which may still affect the judgment of the councillor or staff member, or non-pecuniary interests which create a conflict of interest or the perception of a conflict of interest. In this regard he recommends amendments to the Local Government Act 1995 - page 1067.

Gifts: The Royal Commissioner recommends amendments to the April 1997 code of conduct prepared in compliance with section 5.103 of the Local Government Act 1995 as there is presently enormous scope for abuse of the system as qualified by the present provisions. He recommends that the code include an absolute prohibition on the acceptance of benefits of any description by councillors and council staff from persons or entities having dealings with the council - page 1088.

Council interference in commercial activities: The commission identified two instances where staff and council tried to bring parties together in relation to matters before the council. In neither case was there a community interest in council's becoming involved in a negotiated settlement. It is plainly improper for councillors or staff to involve themselves in negotiations between interested parties. This type of unwarranted interference in commercial activities should cease. Those responsible for the supervision, education and training of staff should be vigilant to detect instances of councillors or staff becoming embroiled in matters that do not concern them and to point out the impropriety of the practice at every appropriate opportunity - pages 1074-1076.

Information provided to council: The Royal Commissioner was critical of the quality of advice going to council. He recommends that a way to enforce the requirements for reporting to council is for the chief executive officer and councillors to make it very clear when transgressions are discovered that work of such quality is unacceptable. The response to a transgression should obviously depend on the seriousness of the defect in reporting. However, if it were made plain to department heads as a matter of policy that defective reporting carries serious consequences for them personally, they could be expected to take their responsibility in this area more seriously - pages 1077-1078.

Record keeping: In regard to record keeping, the Royal Commissioner found that, with one or two notable exceptions, the standard of record keeping by council staff at the City of Wanneroo during the time with which the commission was concerned was extremely poor. On numerous occasions council staff were unable to explain to the commission why an action was taken or what action was taken in a particular way because there were simply no records on the file or no file at all to tell the story - page 1078.

The Royal Commissioner questioned the deficiencies in the recording of the minutes of council meetings in chapter five of the interim report. Following the further investigations that have occurred since that time, he is strongly of the opinion that councils should be required to record whether or not there was a discussion on a matter and also the names of councillors who vote for and against individual motions - page 1079.

Supervision of councils: The Royal Commissioner was satisfied that the problems of government and administration experienced in Wanneroo over that period were not unique.

He developed a firm conviction that the only way the conduct of local authorities can be kept within acceptable bounds of behaviour is by constant and fairly restrictive supervision by a very alert overseer; that task falls to the Department of Local Government. The royal commissioner believes that the City of Wanneroo experience demonstrates a need for that department to be well resourced and very active.

It is quite clear from the royal commission's investigations that local authorities at both councillor and administration levels cannot be relied upon to maintain proper standards and a proper level of service to the community without strong and constant supervision from above - page 1083.

The recommendations of the royal commissioner will be referred to the Minister for Local Government for his attention and action.

The royal commissioner, after completing his final report, added an addendum which gives a clear indication of how he thinks that the administration of the City of Wanneroo should be dealt with in the future. He says in response to a submission to him from the Chief Executive Officer of the City of Wanneroo, dated 19 September 1997, the following -

The observation that "the City of Wanneroo of the late 1980's and early 1990's is significantly removed from the present day operation of this progressive, responsive and responsible local government" is at odds with the evidence given to this Commission by council officers and I do not accept it as an answer to the criticisms levelled in this report. I am still of the view that undesirable attitudes are so entrenched in the culture of the City of Wanneroo that external intervention on the matters referred to in this report and close supervision on ethics and accountability generally will be required, at least for some time yet.

In conclusion, I reaffirm the royal commissioner's finding that he did not uncover any evidence of systemic corruption in the City of Wanneroo between May 1986 and June 1992. I commend this report to members and take this opportunity to thank the commissioner and commission staff for their dedicated efforts in preparing this report. I table the final report of the Royal Commission into the City of Wanneroo, dated September 1997.

[See papers Nos 880A-D.]



*Ruling by the Speaker*

The SPEAKER: I have received a request from the Leader of the Opposition to allow his speech to be televised and for it to be given the same privileges as were provided to the Premier's statement. I will treat this situation as a special circumstance. I am mindful of the fact - about which I remind the House - that precedent has not been to allow the release of televised material or allow the cameras into the House for any matter other than the Premier's speech on certain matters. However, I am also mindful that recently the House moved a motion that it wanted increased televising of the proceedings of this place and its debate. Therefore, I am prepared to accede to the request of the Leader of the Opposition, and I will allow that footage to be released to the media.

However, I indicate to members that a condition applies to this release because a question arises once members move down this path: What debate and whose speeches will be televised? Consultation will be needed with party leadership, the Legislative Council and many other people to develop a concise policy on this matter. In the interim, I am prepared to allow the Leader of the Opposition to have the footage of his speech released. However, it will be necessary in the new year to reform the policy on this matter.

*Debate Resumed*

**DR GALLOP** (Victoria Park - Leader of the Opposition) [2.35 pm]: We just heard a very interesting speech from the Premier in which he told us more about the contemporary Liberal Party, and his leadership of that party, than about the Royal Commission into the City of Wanneroo. Four words were conspicuously absent from the Premier's speech to Parliament today; namely, "Liberal Party" and "northern suburbs".

Why were those four words not mentioned in the Premier's speech today? It is because the Royal Commission into the City of Wanneroo was inquiring into the Liberal Party in the northern suburbs of Perth, Western Australia. Let us be clear about what we are dealing with. The City of Wanneroo contains about a quarter of a million people and is the fourth largest local authority in Australia. Every day the council makes major decisions about the development of the urban area of Perth. Those important decisions have a very great impact on the future development of our metropolitan area. That is what we are dealing with.

I have two very important questions to ask the Government: First, why did the Premier not come into this Parliament today and announce the dismissal of the Wanneroo City Council? The royal commissioner writes - not about the City of Wanneroo of 1983, 1986 or 1990, but about the City of Wanneroo of 1996-97 - that he does not accept it as an answer to the criticisms levelled in his report that it is a different council today from what it was then. He is still of the view that undesirable attitudes are so entrenched in the culture of the City of Wanneroo that external intervention on the matters referred to in his report and close supervision of ethics and accountability generally will be required at least for some time yet.

That report went to the Government of Western Australia. What has the Premier done about it? He has written two letters. That is the decisive leadership we have got from this Premier and Government on the major city council of Western Australia. One letter was to the Commissioner for Public Sector Standards and the other was to the Department of Local Government. What a pathetic response to a report that concludes that there are major problems in the administration of that council. Those problems were also referred to in a recent report on Manakoora Rise which was tabled in this Parliament. If that report was not enough, surely the royal commission report from Commissioner Davis should have been enough to convince the Government that decisive action was needed to clean up that situation once and for all. What do we get? We get two letters. What a Government; what leadership! Let us contrast the Government's approach to the poor Esperance farmer, who is suffering enormous trauma and grief, with its approach to corruption and maladministration in the City of Wanneroo. The full force of the law came down on the Esperance farmer. What happens with Wanneroo? There are two letters. It is pathetic.

The second very important question that has to be answered by the Premier is, why has he not introduced legislation into this Parliament to provide for the disclosure of donations at the local level? Has he prepared that legislation? Is it ready to come into this Parliament? He has had the report for six weeks. To give an absolutely clear view, let me refer to what the royal commissioner says about political donations and their proper disclosure. The commissioner believes that the problem of electoral donations is the most pressing ethical problem confronting councillors and staff of local government authorities. Did the Premier announce in his speech today that legislation on this matter would be introduced? Did he inform the House that legislation is ready to come into this Parliament to be through this Parliament by the end of this year so that local authorities throughout the State are subject to a proper regime of disclosure? No.

The Premier has had this report for six weeks and he has known what the royal commissioner, Mr Davis, had to say about that matter. It is ironic that the very work of this royal commission was constrained, as the counsel assisting said in her summing up address, because of the lack of disclosure legislation at the local government level.

Mr Court: Cabinet does not see this report until you do, my friend. Cabinet will receive that report now.

Dr GALLOP: The Premier has not done a thing about disclosure.

The two questions I have following my reading of this report are: Why has that council not been sacked? Why has the Premier not announced as a matter of urgency that he will bring in legislation about disclosure? Perhaps the answer to these questions can be found if we look into the real history of this matter - not the doctored history the Premier gave in the one-quarter of his speech in which he addressed comments made in this Parliament by members of the State Parliamentary Labor Party, but what we have gleaned from his comments about the statement of the royal commission and how it operated over previous years.

The Opposition advocated in Parliament this royal commission; therefore, we welcome this report. When we consider the attitude the Government has taken on this issue, perhaps we will see from history why proper and decisive leadership is not being shown now the Government has the report of the royal commission. This Government has always been reluctant to deal with this matter in a proper way.

The royal commission report is welcome. However, as counsel assisting said when summing up on this matter, the report was constrained in significant ways. She mentioned it was constrained directly by the decisions or non-decisions of this Government. First, there was a non-decision; that is, not to have this inquiry in place until it was too late. I will explain that matter in a minute. Second, the decision was made to set the terms of reference in a particular way so the full story of Wanneroo could not come out. Let us consider the excessive delay.

There is no doubt this Government was dragged kicking and screaming into having a royal commission into Wanneroo. When this issue first emerged in 1993 the response of the Premier and the Government was to cover up. Their approach was, "Let us hold our ranks together and the Opposition, the media, and people who have been active in the Wanneroo area and who called for this royal commission will eventually go away and leave us all to our normal activities in that area, the Government of this State and the factional system in the Liberal Party." The Opposition started asking questions in 1993. It was only in March 1996 that the reconvened inquiry was given the powers of a royal commission. Apart from anything else, this meant the majority of findings were handed down after the 1996 election. The Premier won on that one: His tactic of delaying the commission's report for so long that it would not be brought down until after the 1996 election achieved the purpose he set. This time lapse meant there were great problems for people remembering events. Counsel assisting pointed this out in her summing up to the royal commission in September this year. Witnesses' memories became hazy and delay became a convenient way to avoid answering tricky questions.

The long delay also had a fundamental effect on the information that was made available. Counsel assisting made the point that obtaining documentary evidence was very difficult because financial institutions tended to destroy their records after seven years. Most allegations occurred prior to 1990. This meant, therefore, that many financial records were unattainable and money trails vanished into thin air. The delay had a significant impact on the ability of the commission to reach conclusions about a range of issues. The Opposition said at the time that it was a tactic on the part of the State Government, so responsibility for that lies with this Government and its backers in the northern suburbs. What an insult for the Premier to come in here now and say that allegations should have been sent to the proper authorities. One of the first and most important recommendations of the Royal Commission into Commercial Activities of Government and Other Matters was to set up a proper anticorruption commission in Western Australia. That should have been one of the first steps taken by the new Government in 1993, but it did not take that step. Therefore, the Opposition came into this Parliament with the issues and campaigned for a royal commission on this matter.

The second reason that this report cannot be fully comprehensive relates to the terms of reference that were set. Again when counsel assisting the commission summarised the work of this commission she said that the terms of reference were too narrow. Mr Speaker, you would recall the Opposition raising this issue in this Parliament in a number of debates. The report did not take into account the police and their inquiries into the matter. The commission had difficulty in investigating some of the activities of the employees of the City of Wanneroo. It did not look at the council as a whole in terms of the way it operates. I will quote counsel assisting in her summing up. She states -

In my view it would have been helpful if the terms of reference were drafted more widely to include scrutiny of the council as a whole for the specified period to identify any corrupt or improper conduct, not simply specific types of conduct by councillors only. Corruption does not occur in a vacuum. It is often aided, even hidden, by poor administrative practices including inadequate record keeping, lack of appropriate policy and codes of conduct, lack of training and supervision, and sometimes by sheer incompetence.

We heard the Premier say today in this Parliament that some related issues that were before the courts were not

investigated by the commission. Even the Premier in the statement he just gave in the Parliament acknowledged that point. We have the delay, and the failure of the terms of reference. We have a report, and I congratulate the commissioners on the work they have put in. I look forward to reading all they have to say about this. We must remember the constraints under which they were operating - constraints that were set in this Parliament by this Premier and this Government because they had a vested interest in the whole matter. What might that vested interest have been?

Mr Court: Do you want to make any comment about the member for Kingsley?

Dr GALLOP: No, I want to talk about the current member for Wanneroo. Counsel assisting the commission referred to constraints on her conducting the work of the commission. One of those constraints was that one of the witnesses adopted an antagonistic attitude towards the commission.

Mr MacLean: Too right!

Dr GALLOP: The member for Wanneroo has confirmed that conclusion was validly based. The trouble is that the antagonistic attitude of the member for Wanneroo exists in the Cabinet as well. Why has the Liberal Party always had an antagonistic attitude?

Mr MacLean interjected.

The SPEAKER: Order! I caution members about the misuse of the word "lies". It is not appropriate. The Leader of the Opposition did not accuse anyone and I caution the member for Wanneroo about the use of that word.

Dr GALLOP: The member for Wanneroo seems to speak with great authority on this issue. Has the member for Wanneroo read this report?

Mr MacLean: I lived through it.

Dr GALLOP: The member for Wanneroo will not answer that question. It is a simple question: Why do members of the Liberal Party exhibit an antagonistic attitude? Now we come to the central point of this issue.

[Leave granted for the member's time to be extended.]

Dr GALLOP: The report's conclusions, as presented to this Parliament by the Premier today, said there was corruption in Wanneroo. That corruption was led by two individuals, both members of the Liberal Party of Western Australia. Let me quote from counsel assisting in her summing up. It is very similar to what the Premier said the report finally concludes. Counsel assisting the commission states -

Those investigations have revealed that corruption certainly did occur in the City of Wanneroo during the relevant period. However, apart from those matters dealt with by the commission in hearings and matters for which people have already been convicted of criminal offences, there was no evidence found of systemic corruption within the city. That Dr Bradshaw and Mr King were corrupt is beyond doubt. However, this commission has not uncovered any evidence to suggest that those associated with Dr Bradshaw and Mr King were similarly corrupt or were necessarily aware of the corruption of their colleagues.

However, the perception that Dr Bradshaw could control the numbers on council, in my submission contributed to the corruption that did occur. In simple terms, it made him someone who was worth bribing.

In that way any councillor associated with Dr Bradshaw or Mr King who voted in accordance with their wishes rather than according to the merits of the matter was, however unwittingly, facilitating that corruption that was occurring.

Why did the Premier, when he came into this Parliament, not mention that aspect of the situation? Why did he give only four lines to this mysterious thing called factions? It was not factions, it was a Liberal Party faction. It was a Liberal Party faction in the City of Wanneroo that allowed for that corruption to occur and counsel assisting made that very clear in her summing up. I will be interested to see what the royal commissioner has to say about that matter.

Mr Court: Are you going to make any comment at all about the member for Kingsley?

Dr GALLOP: The Opposition wants the Premier to comment on the Liberal Party in the northern suburbs. Where are they? Where is the Premier's decisive action in relation to this major issue in Western Australia today?

Mr Court: You have not got the decency to apologise.

Dr GALLOP: We have decency, my friend! We also know what needs to be done. However, the Premier will not

do that because it is not in his interests to do it. We know why it is not in the Premier's interests to do what should be done without any delay - that is, the dismissal of that council and the placement of proper commissioners so the council can get its act together and the people who live in that area can go about their business in a proper way.

Opposition members: Hear, hear!

Question put and passed.

### **PETITION - NURSING HOME CARE**

**DR GALLOP** (Victoria Park - Leader of the Opposition) [2.58 pm]: I present the following petition -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We the undersigned petitioners believe that nursing home care should be equally available to all Australians on the basis of clinical need, irrespective of a person's capacity to pay for that care. Accordingly we call on the Federal Government to abolish the entry fee and the extra daily fees for those needing a nursing home bed.

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 419 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 100.]

### **STATEMENT - MINISTER FOR PLANNING**

#### *Review of Town Planning Appeals System*

**MR KIERATH** (Riverton - Minister for Planning) [3.10 pm]: My brief ministerial statement is about the review of the town planning appeals system. As part of this Government's election commitment to review the appeals system, I commissioned Mr Rod Chapman to critically examine our appeals system in terms of impartiality, fairness, speed, expense and its ability to provide outcomes in regard to sound planning principles. Mr Chapman headed the Office of Racing and Gaming and conducted the review of the Workers' Compensation Board that produced the cheaper, non-litigious workers' compensation system we now enjoy.

As part of the examination process, submissions were sought from a number of peak professional bodies including the Town Planning Appeals Tribunal, Urban Development Institute of Australia, Law Society of Western Australia, Western Australian Municipal Association, Western Australian Planning Commission, Ministry for Planning, Royal Australian Planning Institute and other interested parties.

In the past, the majority of appeals have come to the Planning Minister for determination because it has provided a cheaper and faster means of gaining a decision. There is no right of appeal in legislation against a decision by the Minister and that has brought criticisms that there is a lack of natural justice, that parties cannot challenge the evidence or findings given to the Minister and that the Minister is open to departmental, political and community pressure. The Town Planning Appeals Tribunal is perceived to be time consuming, expensive and legalistic.

I asked Mr Chapman to develop options for improving or restructuring the present dual system and I will shortly table his report. The report recommends a new system to make the appeals process more informal and simple, and one that provides greater protection for the rights of appellants. Appellants can opt to have their appeal dealt with informally, based on written statements, or by law or formal hearing by a new appeals body to be called the Town Planning Appeal Authority.

Appellants can still opt for legal representation but there are restrictions on the right to cross-examine and re-examine witnesses.

Mediation has been introduced as a compulsory first step in the appeals process, unless the appeal authority feels it would serve no useful purpose. Virtually all appeals will be made to the appeal authority, except where appeals are requested by or referred to the Minister. All appeal decisions will be made public with details contained in the annual report of the appeal authority, which should satisfy the Opposition's demands for changes to the appeals system.

I think Mr Chapman has done an excellent job and I table his report.

[See paper No 881.]

**[Questions without notice taken.]****JURIES AMENDMENT BILL***Assent*

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

**BILLS (2) - MESSAGES***Appropriations*

Messages from the Governor received and read recommending appropriations for the purposes of the following Bills -

1. Environmental Protection Amendment Bill.
2. Industry and Technology Development Bill.

**DAMPIER TO BUNBURY PIPELINE BILL***Standing Orders Suspension*

**MR BARNETT** (Cottesloe - Minister for Energy) [3.46 pm]: I move, without notice -

That so much of standing orders be suspended as is necessary to allow the Dampier to Bunbury Pipeline Bill to be introduced without notice and to proceed up to and including the motion for the second reading at this sitting.

The sale of the Dampier to Bunbury natural gas pipeline is a major privatisation by the Government with the prospect of sales and revenue in excess of \$1b. The decision to privatise was made some time ago and the steering committee has been working on the process for most of this year. It is a very complicated process, given the scale of the privatisation and the inherent complexity of the contracts, the easement, the rights of expansion, and transmission charges.

This is largely a machinery Bill to facilitate the sale, and it is necessary for the Bill to pass through both Houses of Parliament for the sale process to be concluded. The gas sales steering committee has recommended a short list, which I intend to announce later this week, of the bidding proponents for the purchase of the pipeline.

The Bill, which I hope to second read in a little while, authorises AlintaGas to sell the pipeline; lays down rules for the use of the easement, sets up criteria under the auspices of the Minister for Lands for the easement to be expanded and a regime to allow progressive reduction in transport charges to gas users. It facilitates many other mechanical matters necessary to conclude the sale process.

The Bill has massive implications for energy deregulation and lower transport charges for gas consumers, but most of all it will provide a return to Western Australian taxpayers of perhaps several hundred million dollars and the retirement of at least \$1b in debt. The financial implications for all areas of government are immense.

For that reason, I seek the indulgence of the House to move forthwith to the second reading. The Bill will be available for members, and briefings will be conducted during the coming week. That will allow the Bill to be brought on for debate next Tuesday onwards.

**MR THOMAS** (Cockburn) [3.48 pm]: The Opposition does not oppose this motion to allow the Minister to deliver his second reading speech on this Bill later today. I understand the intention is for the second reading debate to be undertaken next week, and we have no problems with that. However, I am very concerned about the wider process which is about to take place. The Government should abandon the process of selling the Dampier to Bunbury natural gas pipeline until such time as the Australian Competition and Consumer Commission investigation into the AlintaGas-Epic deal is complete, and we in this Parliament and the people of Western Australia can be satisfied that the Government, AlintaGas, the Minister, Epic Energy and any other persons involved have acted with prudence and probity. Currently, we do not know that that is the case. Indeed, we have very good reasons for suspecting that that may not be the case.

About six months ago in this House I debated with the Minister a matter that arose relating to the AlintaGas-Epic deal. The Minister became quite intemperate. Mr Speaker, you had to call the Minister to order at one stage because he lost it altogether when it was suggested that AlintaGas might, in some sense, have acted in an improper way. We did not say that that was the case, but that a very strange arrangement was entered into between AlintaGas and Epic, particularly at a time when other people were trying to secure the Kingstream contract. The Opposition said it was

a very strange arrangement which should be investigated and fleshed out thoroughly publicly. What was the Minister's response? He said that the matter was commercially confidential and that members were not allowed to know the precise terms so they could be satisfied about the prudence or probity of the deal.

Mr Barnett: I do not either.

Mr THOMAS: The Minister does not know either. The Minister has approved a \$370m deal by AlintaGas. He is required under the Gas Corporation Act to give his approval when AlintaGas enters into such contracts. However, the Minister blandly tells the House that he does not know the detail! What if it turns out to be not a good deal?

Mr Barnett: I make one point only: The arrangement is a letter of indication subject to approval by the ACCC. There is no contract and no deal, as you put it.

Mr THOMAS: It is now subject to approval by the Australian Competition and Consumer Commission, that is for sure! The Minister says that he approved the deal between AlintaGas and Epic, yet he has not actually read it. He has committed a public utility of this State to a contract to receive funds from Epic in order to fund the expansion of the Dampier-Bunbury natural gas pipeline, and in return the utility is to make available to Epic Energy a prescribed capacity in the pipeline. A \$370m arrangement is a big deal and a big project by anyone's standard. In terms of accountability under the Gas Corporation Act, the Minister is required to personally approve all arrangements beyond a prescribed amount, which is about \$15m from memory. Therefore, we have exceeded the prescribed amount.

The SPEAKER: Order! I draw the member's attention to the fact that with these difficult motions to suspend standing orders, we allow members some time to work up to the relevant point of the suspension. The member has indicated that he will support the motion; nevertheless, he is now getting into details which are not pertinent to the motion before the House.

Mr THOMAS: I return more directly to the point; namely, the deal between Alinta and Epic is currently under investigation by the ACCC.

Mr Barnett: Correction - it is not.

Mr THOMAS: The ACCC must have been lying when I was told on the telephone yesterday that it was investigating Alinta-Epic.

Mr Barnett: No; let me tell you -

Mr THOMAS: I will tell the Minister what I was told.

Mr Barnett: I will tell you the truth.

Mr THOMAS: Then I am lying - okay, tell me, Minister.

Mr Barnett: Maybe you are. The ACCC requested some information and documentation from Alinta, which it has provided. There is no investigation. Whether it chooses to conduct an investigation is up to that body, but there is no investigation at this stage.

Mr THOMAS: I was speaking to the Regional Director of the Australian Competition and Consumer Commission on the telephone yesterday, and I was told that it was investigating Alinta and Epic. The Minister was probably not told for security reasons.

Mr Barnett: If it has launched a formal investigation, it is incumbent on the ACCC to formally announce that. Are you announcing it on its behalf? Its due process is far more thorough than that, and you should be careful in your choice of words. It has requested documentation, which has been supplied.

Mr THOMAS: All right. Let us say that the ACCC makes an inquiry - I am not sure of the terminology in the legislation - into the Alinta-Epic deal; in that case, it would be highly improper to complete the sale of the State's major asset to Epic. This legislation - for which the Minister seeks the suspension of standing orders to expedite its passage - will facilitate the sale of the asset worth \$1b. That is the relevance of my comments to the motion before us: In the dying weeks of this Parliament, the Minister will rush through some legislation which will allow the sale of that asset. The results of the inquiry, investigation or whatever the Minister wants to call it, by the Australian Competition and Consumer Commission may -

The SPEAKER: Order! The member for Cockburn is failing to convince me that he is dealing with the motion before the House, which is to suspend standing orders. The member has indicated his intention to support the motion. It is my intention to bring the member's speech to a close, but I give him one final chance to conclude his comments.

Mr THOMAS: Thank you, Mr Speaker. I will speak closely to the proposition to suspend standing orders. The

Opposition supports the suspension of standing orders which will allow the Minister to deliver today the Bill's second reading speech. That will give at least one more day's consideration of the Bill than would be the case if the motion were not passed. That is most important because this legislation involves a very significant step in the sale of the State's major asset at a time when the arrangement - one personally approved by the Minister even though he has not read it - is under investigation by the Australian Competition and Consumer Commission. Also, one of the parties to that deal is a would-be purchaser of the pipeline. Through the actions of the deal, this party may well have gained access to information to which other parties do not have access.

The ACCC inquiry was precipitated by the fact that letters were leaked from AlintaGas which indicate that its motives have been most impure and improper in this matter. The fact that the Minister, Alinta and Epic are all involved is very serious. We should await the results of the ACCC investigation before we proceed with this sale.

**MR GRILL** (Eyre) [3.58 pm]: Normally, the Opposition would consent to the suspension of standing orders without a qualm to allow such an important piece of legislation to be debated. However, it has qualms and misgivings about this matter. The Opposition is concerned about the way this matter has been handled and the way the gas transmission problem has been handled for some time. The Government has made a number of errors in its handling of this very important matter.

In considering whether to suspend standing orders, it is worthwhile looking at the situation we face today. I believe strongly that the Government has made errors in relation to this matter: First, it allowed AlintaGas to campaign strongly against a second pipeline. The implementation of a second gas pipeline from Dampier to Bunbury was not a matter to be left to AlintaGas - it was a matter of government policy. The Government has not discharged its responsibility in that regard.

The Government's second mistake was to allow a joint venture between AlintaGas and Epic to be established for the looping of the Dampier-Bunbury pipeline without going to tender. If this is not a breach of propriety, it is very close to one.

What has that led to? The perception exists in industry in Western Australia and overseas that in the tender with Kingstream, Epic Energy received privileged information from its joint venture partner - that is, AlintaGas - about tenders from rival bidders.

Mr Barnett: That is absolutely disgraceful. You are accusing senior employees of corrupt behaviour. You, of all people, have learnt nothing.

The SPEAKER: Order! The experienced member for Eyre started off very well in addressing this motion. The motion is to suspend standing orders, which ultimately may allow members to have a full and wide debate on this matter. The member is now straying from the point. Although he is raising many issues that are to do with the issue itself, they are not to do with the suspension of standing orders, which is the motion before members. I ask him to consider that in his remarks.

Mr Barnett: Whose bidding are you doing this time, member for Eyre? For whom are you working?

*Withdrawal of Remark*

Mr THOMAS: The Minister for Energy asked the member for Eyre for whom he was working. That is a direct implication that the member is acting as an agent for somebody outside the House. That is a serious imputation, considering rulings and standards that have been applied in other jurisdictions. Mr Speaker, I ask that you ask the Minister to withdraw.

Mr BARNETT: I withdraw.

*Debate Resumed*

Mr GRILL: When considering this question of suspending standing orders, we must consider whether we are compounding the errors that have already been made in this arena. I repeat: There is a strong perception in industry in Western Australia and further afield that there was impropriety in the way the Kingstream tender was handled and in the way Epic obtained information about rival bidders. That is not necessarily my impression but it is the impression of industry.

Mr Barnett: Are you asserting that people in AlintaGas provided information to Epic on rival bidders for the pipeline?

Mr GRILL: I am not saying that that necessarily occurred. I am saying there is a widespread perception in the industry that that occurred. I cannot say whether that is true, but I am sure about this fact: That is the perception, and it is widely held. I do not want to see these mistakes compounded by members rushing into this action now. In

considering whether we should suspend standing orders, we must consider whether the Australian Competition and Consumer Commission has decided to inquire into this matter. The Minister might have a point: It may not be a formal inquiry at this time. However, the commission is heading towards a formal inquiry. It is taking the necessary steps to put in place a formal inquiry. That is because a perception exists beyond industry and into the bureaucracy that there is something very much wrong with these deals. The Australian Competition and Consumer Commission has the view that anticompetitive activity may have occurred in this matter. It has the view also that a breach of the Trade Practices Act may have occurred.

Mr Barnett: As I said to the member for Cockburn, the letter of intent between Epic and AlintaGas - the formal documentation - makes it clear that any arrangement must be subject to the approval of the ACCC. Where is your objection? That is the arrangement. Approval must be given.

The SPEAKER: Order! The difficulty members are creating for the Chair is that they are straying into the details of a future motion or debate on the Bill and they have gone beyond this motion. I acknowledge the member for Eyre has vehemently returned to the motion on occasions; however, the debate and the interjections flowing from the debate are not dealing with the suspension of standing orders. I will be forced to bring the debate to a close unless members can deal with the motion before the Chair.

Mr GRILL: I suggest to the Minister and to the Government that we should not deal with this matter in haste. Members might remember that when it was first suggested that Epic and AlintaGas enter into a joint venture arrangement to supply gas by looping the Dampier to Bunbury pipeline as far as Geraldton, the Minister said publicly that that could not happen; that it would be anticompetitive. The Opposition is giving this Minister the opportunity to reflect on that situation. Does he want to push this legislation through the Chamber in the way he suggested, or does he want to think about it again? Perhaps his first impression was the correct impression; that is, the arrangement between Epic and AlintaGas was anticompetitive, would not pass the test of the ACCC and was not the sort of deal that should be done. There was certainly a perception a few months ago that the stance he was adopting in this matter was very much at loggerheads with the position adopted by Phil Harvey. Perhaps there should be a cooling off on this legislation. Perhaps the Minister's first instinct was right and Phil Harvey was wrong. Perhaps AlintaGas should never have campaigned against the second gas pipeline and perhaps the Minister should not have backed off on this matter, because the Minister has the responsibility to put the interests of the State before the interests of AlintaGas. It seems to many people that the interests of the State are very much secondary to the interests of AlintaGas.

If the Government rushes into this legislation, big chips will be at stake. First, the legislation will put at stake the biggest divestment of public assets in this State. It will put at risk the sale of the Dampier to Bunbury natural gas pipeline. The Opposition has not opposed this proposal and has not wanted to delay that process until now. We supported the complete divestment of this asset long before the Government did. However, significant doubts have been expressed about this project and significant shadows have been cast over it.

Second, in the event that the ACCC finds that the arrangement between Epic and AlintaGas was anticompetitive, that arrangement must dissolve. If that dissolves, what will happen to Kingstream, which already has done a deal? Kingstream already has a contract, which may not be formalised, with Epic-AlintaGas for the supply of gas at a set price. What will happen to that arrangement? That arrangement is crucial to its fundraising. How can it go overseas and raise funds for this important project -

Mr Barnett: What will happen if you hold up the sale process and nothing happens for a year? There will be no way the Kingstream project can proceed. There will be no way gas prices can come down and there will be no way investment can take place.

Mr GRILL: The Opposition would be most unhappy if that were the case.

The SPEAKER: Order! Members are not dealing with the motion before the Chair, which is to suspend standing orders. The member for Eyre has returned to the motion on some occasions. However, members are raising matters that are the substance of some other debate. If the member for Eyre does not speak to the question before the Chair, I will require him to bring his remarks to a close.

Mr GRILL: The crucial matter here is the speed with which we deal with this legislation, and that is what we are dealing with today. We have always been prepared to see this legislation go through this House and the other Chamber as soon as possible, because we have always supported the divestment process of this asset. However, because of the doubts cast over it, it may now be worthwhile spending a few more weeks ensuring that the transactions go through. The Minister made a good point a moment ago; that is, if we delay this project for any significant time, it might be the death knell for it. That is the last thing we want to see.

Mr Barnett: That's what you are doing.



Mr GRILL: We want to see some certainty with this project. It does not have certainty at present because the Government has mishandled the matter. There is significant uncertainty about the Kingstream project, not just because of the site but also because of the gas contract. I have outlined why this divestment at this stage and the possible collusion between Epic and AlintaGas are now impinging upon the Kingstream project. We have been dealing with the speed with which we handle this legislation. The Minister says that there is no formal inquiry into this matter by the ACCC at the present time. I hope he is right and that there is never a formal inquiry because I want to see these projects get off the ground. How long will it take to find out whether a formal inquiry will go ahead? I will put this question to the Minister: In the event a formal inquiry goes ahead, what will happen to this divestment?

Mr Barnett: In a worst case scenario, if a formal inquiry goes ahead and it decides that the arrangements between AlintaGas, Epic and Kingstream are void, any arrangement will simply lapse and sale of the pipeline can go ahead independently, and the new owners can negotiate whatever they want with Kingstream or anyone else. If those opposite have a genuine concern, the best resolution is to sell the pipeline quickly.

Mr GRILL: The answer from the Minister adequately underlines the uncertainty surrounding this project at this time. I do not know whether he is right or wrong about the consequences of delay. I do not want to be dogmatic about it. We will accede to this motion because the Minister might be right. However, this is a very important project. The way in which it has been handled to date leaves open some very big questions indeed. There is a lot of uncertainty about these two major projects - the divestment and the Kingstream project. We want to see both go ahead with the same amount of certainty that other projects in Western Australia in the past have gone ahead. That does not appear to be their fate at present. Nothing we say today should be taken as adding to that uncertainty. I am warning the Minister and the Government that if they cannot bring back some certainty to this project in the near future, there will be dire consequences.

Mr Barnett: If you oppose the pipeline sale, you may well sink Kingstream.

Mr GRILL: That is what I am saying.

Mr Barnett: It will be on your head.

Mr GRILL: That is the situation this Minister and this Government have brought us to. Out of his mouth, this Minister is prepared to say that the project is in jeopardy. That is why we should be careful about this piece of legislation. We must be certain about it. As I said, we will accede to this motion and we will allow the debate to go ahead. We will not hold it up. I want this Minister and this Government to be under no illusions that these two projects are now on a knife edge because of the way they have been mishandled. We wish them luck. We have always supported them.

Mr Barnett: You wish us luck, but you will oppose it when the Bill comes in. What heroes you are!

Mr GRILL: No; we are not. We are supporting this motion. I reiterate: We support this motion and we are prepared to debate this matter in speedy time; however, this Government has jeopardised these two projects in the way this Minister has outlined already.

Question put and passed with an absolute majority.

#### *Introduction and First Reading*

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

#### *Second Reading*

**MR BARNETT** (Cottesloe - Minister for Energy) [4.15 pm]: I move -

That the Bill be now read a second time.

As part of the ongoing reform of the Western Australian energy sector, the Government has decided to sell 100 per cent of the Dampier to Bunbury natural gas pipeline or, as it is known in the gas business, the DBNGP.

There will be a number of major benefits to the State arising from such a sale. Firstly, the sale proceeds are expected to be substantial and will allow the retirement of a significant amount of state debt. This will have major benefits for the State, helping to hold down interest costs on borrowings and freeing up scarce capital for other much needed social and industrial infrastructure.

Secondly, separating the ownership and operation of the Dampier to Bunbury natural gas pipeline from the other business units of AlintaGas will foster a more competitive environment. The separation of ownership of the pipeline from interests in trading in gas is consistent with the national access code for gas transmission systems which this Government will adopt for this pipeline on 1 January 2000.

Thirdly, the provision of a wider gas corridor will help to facilitate future gas transmission pipeline developments and lead to the greater availability of low cost and environmentally friendly natural gas. The sale of the pipeline will also keep Western Australia at the forefront of energy reform in Australia.

I have pleasure in introducing this Bill which is to provide the legislative authority for -

- AlintaGas to sell the Dampier to Bunbury natural gas pipeline;
- the State to retain the existing Dampier to Bunbury gas corridor and for the corridor to be expanded;
- the establishment of a "land access Minister", who shall be the Minister for Lands, to retain the existing corridor, to acquire additional corridor rights and to be responsible for ongoing administration of the strategic corridor;
- access rights to allow the existing pipeline to be expanded and for additional pipelines to be built if required;
- compensation for "injuriously affected" land holders;
- rate equivalent payments to local government;
- a transitional third party access regime for the Dampier to Bunbury natural gas pipeline until the national access code is adopted for the pipeline;
- setting a maximum price structure for gas transportation in the pipeline and allowing for negotiability below that maximum; and
- protecting the interests of residential and small business gas and electricity consumers in the south and midwest of the State.

This Bill is another step in the Government's ongoing reform of the energy sector in Western Australia which to date has had a tremendous impact on the State's economic development. This is evidenced by strong growth in minerals and minerals processing projects making use of low cost natural gas.

The process of reform commenced on 1 January 1995 with the splitting of the State Energy Commission of Western Australia and the formation of AlintaGas and Western Power. This provided direct head to head competition between gas and electricity and clear commercial objectives for both corporatised businesses.

Access by third parties to the gas transmission and distribution capacity of AlintaGas has since been provided in a staged process on a manageable schedule. As of 1 January 1998 any consumer in the south or midwest who uses more than 250 terajoules per annum at a single site will be able to choose a supplier, confident that access for transport is provided for in the transmission and distribution systems. This level will reduce by 1 January 2000 to consumers taking more than 100 TJ per annum.

Similarly, third party access to the electricity transmission and distribution networks of Western Power has been provided in a staged process. From 1 January 1997 any consumer has had the right to access the high voltage electricity transmission network. As at 1 July 1999 any consumer who uses an average of 5 megawatts at a single site will have access to the distribution network. The current distribution access level is 10 MW and the Government intends to accelerate the deregulation process to provide distribution access to 1 MW consumers in the near future. One of the major outcomes of these changes has been the enhancement of competition in the energy sector. This has led to the construction of privately owned and operated gas transmission pipelines within the Pilbara, and from the Pilbara to Kalgoorlie.

The reform of the energy sector has also led to a surge in private investment in electricity generation in the Pilbara and in the goldfields. Across the State since January 1995, some 1 400 megawatts of new power generation capacity either has been completed, is under construction or is committed to, an increase of 34 per cent, with 63 per cent of this increase achieved through private sector investment. The provision of cheaper energy has also encouraged projects such as the Kingstream project, the \$900m expansion at Worsley Alumina Pty Ltd, nickel mines at Murrin Murrin and Cawse, the nickel smelter at Kalgoorlie, and co-generation plants at BP Oil, Worsley and Tiwest Pty Ltd.

An integral part of the reform of the energy sector was the disaggregation of the North West Shelf gas contract and the total deregulation of gas sales in the Pilbara.

As a result, gas prices in the Pilbara fell by around one half. This has contributed to the Broken Hill Proprietary Co Ltd developing its direct reduced iron project and others considering a range of downstream processing projects. Gas prices in the Pilbara are now recognised as among the lowest in the Asia-Pacific region.

Gas prices have also reduced in the south west and passage of this Bill will contribute to further economies. On

1 January 1995 it cost \$1.27 per gigajoule to transport gas at 100 per cent load factor to Perth. This will be reduced to less than \$1.24 per GJ on 1 January 1998 and will fall to less than \$1.12 per GJ on 1 January 1999 and to about \$1 per GJ on 1 January 2000. This is a reduction of 27 per cent in transmission costs, a major component of delivered gas prices. Those charges over the next two years are maximums only, and will be legislated in the access regulations flowing out of this Bill.

Prior to the construction of the Dampier to Bunbury natural gas pipeline, gas was supplied to Perth from the Dongara area gas fields and through the Wang pipeline. In the late 1970s, the Dongara field was producing to capacity and it was expected this field would be depleted in 1986. Restrictions were being imposed on industrial sales and expanding industries were required to use imported oil or coal.

The discoveries of large quantities of gas off the North West Shelf opened up the opportunity for new supplies of gas to the domestic market. The Government of the day played a major role in underwriting the development of the gas fields by entering into the North West Gas Development (Woodside) Agreement 1979. This agreement involved the then State Energy Commission of Western Australia contracting for around 414 terajoules of gas per day over a 20 year period with 95 per cent of this quantity being on a take or pay basis and SECWA's having the exclusive market for this gas in Western Australia. This agreement was negotiated during a period of high oil prices and risks to oil supplies from the Middle East. The demand for gas was expected to grow as Western Australia developed its resources.

This agreement had a number of benefits for Western Australia. It provided a long term secure supply of an environmentally friendly source of energy. It also contributed in a fundamental way to the development of Western Australia's vast gas reserves in the Carnarvon Basin. Today we are benefiting from this project through exports, jobs and royalties.

To transport the gas from Dampier to Perth the State, through its agency, SECWA, constructed a 1 500 kilometre pipeline. This involved borrowing approximately \$1b when interest rates were historically high and when the Australian dollar had a high value on the world money market. The borrowings and the take or pay gas commitments involved considerable risk and represented a substantial investment by the State.

The construction of the pipeline commenced in 1983 and in August 1984 gas from the North West Shelf was transported for the first time. In 1985 the installation of five compressor stations marked the completion of the initial construction of the pipeline. Subsequently, a further four compressor stations have been built.

As I indicated earlier, the Government has decided to sell the pipeline as part of its ongoing process to reform the energy sector. It was appropriate 14 years ago for the State to construct and own the pipeline, in order to underwrite a major development and guarantee gas supplies to the community. However, it is no longer necessary for the State to retain ownership.

The separation of the gas transportation function from AlintaGas and its sale to a private owner and operator will enhance competition in downstream and upstream markets. Provisions are contained in the Bill to ensure the new owner is not involved in any conflicting manner in the upstream or downstream gas business and thus the new owner will have straightforward goals to maximise use of the pipeline. It is expected the new owner will focus on optimising and expanding the capacity utilisation of the pipeline.

I am confident that the sale will deliver a substantial return to the Western Australian community. It has the potential to realise the highest sale price for a state-owned asset in Western Australia's history.

On the basis of the level of interest shown by potential buyers, I expect the sale price to be substantially above the book value of the pipeline. This will allow the State to pay back debt in addition to the debt associated with the pipeline. Not only existing state debt is impacted by the sale. The transportation of gas is not a core function of government and with the private sector providing this service, it reduces the need for the State, through its corporation, to borrow large sums of money to maintain and expand this service.

When the pipeline was first built, the private sector was not prepared to raise the risk capital and secure debt funding for such a massive infrastructure project. It required foresight and leadership by the Government of the day. We are at a stage now where the State's best interest is clearly served by selling the pipeline to the private sector and by moving towards an open access regime for all users of the pipeline.

I turn to the provisions of the Bill. Part 1 deals with some preliminary issues and defines necessary terms. Part 2 deals with the sale process. It provides legislative power for AlintaGas to sell the Dampier to Bunbury pipeline and for the Minister to issue directions in this regard. A direction may also include the setting up of a committee to conduct the sale, and for the disposition of the proceeds from the sale. All directions issued are required to be tabled in both Houses of Parliament.

Part 2 relieves the Auditor General of his obligation not to disclose information so that he may provide information to facilitate the sale process. Part 2 also provides for a penalty for any person who unlawfully discloses information obtained through the sale process. It also provides protection from liability for the directors of AlintaGas when complying with any ministerial direction in relation to the sale.

Part 3 deals with the assignment of the pipeline system to the new owner. It allows the Minister to make orders to effect the transfer of the assets and liabilities of the system. Part 3 also validates pre-existing contracts and allows them to be transferred to the new owner. It also converts internal arrangements between AlintaGas' transmission business and its trading business into formal contracts between the new owner and AlintaGas.

[Quorum formed.]

Mr BARNETT: Part 3 requires the new owner to offer to vary the price for access contained within the pre-existing contracts, that are not exempt contracts. Such a price offer is not to be more than the statutory price, which is the maximum price structure to be set out in the regulations, beginning at less than \$1.24 per gigajoule on 1 January 1998. Thus, following the sale of the pipeline, existing shippers such as AlintaGas and Western Power will immediately benefit from the expected lower prices.

Part 3 contains a provision for the Treasurer to issue an indemnity or guarantee should there be, for example, an obligation on the State that cannot be transferred to the new owner or which AlintaGas is unable to fulfil due to selling its transmission system.

Part 3 also allows for rectification of transfer orders, making of regulations for the transfer and allowing the assets to be further assigned, subject to the approval of the Minister.

Part 4 of the Bill deals with the pipeline corridor, the issuing of access rights and compensation. This part provides for access to land to allow the construction and operation of multiple pipelines. It is probably the most complex part of the Bill, but is essential to the future energy policy of the State.

A land access Minister is created to take AlintaGas' rights over the Dampier to Bunbury natural gas pipeline corridor, to expand that corridor from about 30 metres, as it is currently, to approximately 100 metres wide and to administer that corridor. The Government will recommend to the Governor that the land access Minister should be the Minister for Lands. The Act Minister, intended to be the Minister for Energy, retains ultimate authority over the corridor so that he or she is instrumental in this aspect of energy policy for the State.

Part 4 creates state corridor rights which are the rights that allow a pipeline operator access to the land to construct, operate, or enhance a gas pipeline in the corridor. The land access Minister will be able to designate additional land to be in the corridor provided the land is intended in the future to be available to confer rights on a pipeline operator to build and operate a gas pipeline.

The land access Minister, when requested by the Act Minister, will confer rights for access to the land in the DBNGP corridor for constructing, operating and enhancing a pipeline for transporting gas.

The Governor can make regulations detailing any default of conditions of that conferral of rights as being an offence and subject to a maximum fine of \$500 000 or \$50 000 per day. These are substantial penalties to ensure that a holder of access rights does not prevent or obstruct another holder of access rights from building or operating a gas pipeline in competition to him.

The land access Minister may charge the holder of access rights a periodic fee to recover the administration costs and a reasonable return on the current value of the State's investment in that corridor.

When land becomes part of the DBNGP corridor, it cannot be used in a way that is inconsistent with a gas pipeline being placed on it. Injurious affected landowners and native title holders will be able to seek compensation. A portion of the proceeds from the sale of the pipeline will be used for these compensation payments.

A "DBNGP corridor trust account" will be created to hold moneys from the sale proceeds, fees for access rights and any moneys appropriated by Parliament. This account will be used to pay compensation to injuriously affected landholders and administration costs. There is also provision for the Treasurer to transfer money to the consolidated fund.

Part 5 and schedule 1 of the Bill deal with access and pricing provisions for the pipeline. These provisions are transitional and will be repealed when the State moves to the national access code for this pipeline from 1 January 2000.

Part 5 and schedule 1 are similar to the existing access provisions of the Gas Corporation Act, except they provide for a more negotiable and less prescriptive regime.

Provisions have been specifically incorporated to protect the interests of residential and small business gas and electricity consumers. AlintaGas will have a mandatory right to access below the prescribed minimum threshold level because it is already an aggregator and needs this access to service residential and small business consumers. If the Minister thinks it is in the public interest he can also exempt Western Power from this minimum threshold level when it, for example, requires gas supplies to generate electricity for new residential developments.

The owner of the pipeline must provide access to spare capacity, unutilised capacity and developable capacity on a non-discriminatory basis. For spare and developable capacity this is to be on a first come, first served basis, as is currently the case. This maintains access provisions which are arguably still the fairest in Australia.

If the Coordinator of Energy considers it is in the public interest the coordinator can direct the owner to make capacity available outside these principles; for example, in order to protect gas supplies to residential consumers.

The access regulations made under this Bill will be transitional until 1 January 2000 and will provide for setting maximum prices for the various transmission services such as full haul, part haul and back haul. From 1 January 1998 the maximum price for full haul at 100 per cent load factor will be less than \$1.24 per gigajoule and will decline to about \$1 per GJ on 1 January 2000. After that date an independent gas pipeline access regulator will set reference tariffs. The owner and shippers will be able to negotiate prices below these maximum prices.

For the transitional regime an access manual will contain most of the prescriptive procedural and technical requirements of the existing Gas Transmission Regulations 1994 and the owner will be able to amend these with the approval of the Coordinator of Energy. Disputes concerning access will be heard by the gas referee, as is currently the case.

Part 6 enables the Governor to make regulations preventing the new owner from engaging in upstream or downstream gas businesses and regulations dealing with related party transactions. These provisions will require the owner to ring fence the pipeline operations from its other businesses, if any, and to provide financial statements to the Coordinator of Energy. This is generally consistent with the ring fencing to be required under the national access code.

Schedule 2 deals with the procedures for paying compensation if land has been injuriously affected by the designation of it being in the gas corridor or the subsequent issue of access rights for a new pipeline. Compensation may be monetary compensation or other valuable consideration.

Schedule 3 deals with supply system emergencies, essentially conferring those powers on the Coordinator of Energy which currently reside with AlintaGas under the Energy Corporations (Powers) Act 1979 in respect of the management of supply via this pipeline.

Schedule 4 deals with consequential amendments to various Acts, such as the Energy Corporations (Powers) Act 1979, the Gas Corporation Act 1994, the Land Acquisition and Public Works Act 1902, the Land Administration Act 1997, the Local Government Act 1995 and the Petroleum Pipelines Act 1969.

The amendments to those Acts are not substantial, but are designed to give legal recognition to the transfer of ownership of the pipeline and to accommodate the creation of a gas corridor from the Pilbara to the south west. They also enable the payment to local government of amounts equivalent to rates payable on land in the corridor based on the land's unimproved value.

The Bill is very comprehensive and this is essential in order for the sale to be effected in a proper manner and for the State's long term interests in securing gas supplies to be protected.

In conclusion, I reiterate that the sale of the Dampier to Bunbury natural gas pipeline is a further step in the progressive liberalisation of the State's gas market, which began on 1 January 1995 and which is being continued in manageable steps.

This Government is committed to ongoing energy reform which has the aims of reducing energy costs to consumers, promoting the development of a vibrant and competitive energy sector and enhancing further economic development, particularly by adding value to the State's vast mineral resources.

The State will benefit considerably from the sale of the pipeline through -

- the retirement of debt;

- the retention and reallocation of capital which would have been needed to expand the pipeline;

- lower gas transport costs to be prescribed for the transitional period to 1 January 2000 and available thereafter under the national access code; and

the creation of an expanded gas corridor from the Pilbara to the south west, allowing construction of enhancements and of further gas pipelines.

This Government is committed to calling for expressions of interest for additional pipeline capacity to the south west by 1 July 1998, so there will assuredly be competitive pressures on a private owner and operator of the existing pipeline to service the gas transport needs of this State.

The process of energy reform since 1995 has delivered considerable benefits to this State and the package of reform measures associated with this sale will continue to deliver those benefits. I commend the Bill to the House.

Debate adjourned, on motion by Mr Thomas.

## INTERPRETATION AMENDMENT BILL

### *Second Reading*

Resumed from 16 October.

**MR McGINTY** (Fremantle) [4.36 pm]: This Bill amends the Interpretation Act by inserting a new section 45A and has its genesis in the August report of the Joint Standing Committee on Delegated Legislation. The legislation does nothing more than continue the practice of setting fees and charges in subordinate or delegated legislation.

To illustrate the purpose of the legislation, the twenty-fifth report of the Joint Standing Committee on Delegated Legislation spells out the factual circumstances that give rise to the need for this amendment. Members will recall that the report recommended that two regulations relating to drivers and their vehicles be disallowed. Those were the Road Traffic (Drivers' Licences) Amendment Regulations (No 2) of 1997 and the Road Traffic (Licensing) Amendment Regulations (No 2) of 1997.

I will deal with some of the detail of what those regulations sought to do and the findings of the Joint Standing Committee on Delegated Legislation to show why the Opposition supports this legislation. Firstly, the driver's licence regulations increased the fee payable for a driver's licence from \$26 to \$29 for a driver's licence renewed annually, and from \$90 to \$92 for a five year driver's licence; in other words, an increase of \$3 for an annual licence and \$2 for a five year licence. The cause of that increase, as reported by the committee, was to meet the costs of new digital imaging technology which is used in the production of the plastic licence card.

The new technology was designed to allow for photographs on licence cards to be digitally recorded and for related security features, such as holograms and security patterns on the licence. The cost of the card currently is \$2.64 and that is produced by a contractor to the department. The department has estimated that the cost of the new licence with the digitally recorded information will be approximately \$4.50; in other words, an increase of \$1.86. In order to cover that increase of \$1.86 the department increased the licence by \$3 for an annual licence and \$2 for a five year licence; in other words, \$1.14 and 14¢ respectively to reflect the administrative costs associated with the issue of the new card.

The effect of all of that is something which was then dealt with later in the report. Before I move to that I will deal with the second regulation; that is, the licensing regulations. The Road Traffic (Licensing) Amendment Regulations increased the recording fee payable for vehicle licences from \$12.50 to \$14; in other words, an increase of \$1.50.

These increases came into effect in April this year and were proposed to fund Western Australia's commitment to participate in the national exchange of vehicle and driver information system. They were designed to provide a better exchange of information between the States and to enable what is currently done manually to be done online electronically. The purpose of this initiative is to provide significant benefits for the community in the form of improved collection of fees, better collection of fines, and a reduction in the number of unregistered vehicles on the road, transaction times, car fraud, accidents with problem vehicles, accidents with problem drivers and licence fraud.

The costing of the initiative is also interesting. This is a five year program with an estimated total cost of \$12.5m. The increase of \$1.50 in the recording fee is based on the premise that it will bring into the consolidated fund the \$12.5m it will cost.

The Joint Standing Committee on Delegated Legislation then made the point that, with effect from 1 April 1997, vehicle drivers have been paying higher fees but no improved benefit or service has been provided. Given that, the committee is concerned that the increase in each impost might be a tax that the department has no legislative authority to levy. Therefore, we have two different circumstances or problems. The first, which relates to the driver's licence regulations, is that an additional amount was tacked on to the driver's licence fee to reflect administrative costs, which were supposedly higher. However, there was no real evidence of that. The increased cost of a card was \$1.86, but the fee increase was more than the cost of providing the card. The second problem, relating to the licensing

regulation, was that there was no benefit to the person who paid the fee because the benefits would all accrue in the future.

The committee therefore recommended that the increases in driver's licence fees and motor vehicle registration fees should be disallowed on the basis that they were ultra vires; that is, they were not directed at imposing a fee for the service rendered, in one case because the amount charged was higher than the cost of providing the service and in the other case because the service had not been provided.

Having looked at the Chicory Marketing Board case and the Air Caledonie International case in the High Court, the committee formed the view that fees imposed by the regulations were not for identified services rendered to the customers for the reasons I have already outlined, and on that basis it recommended that they be disallowed. The committee then went on to comment that only costs related to the provision of a specific direct benefit to the individual required to pay the fee are recoverable under a general legislative provision that authorises the rendering of fees for services or licences.

That is the background that gave rise to this problem. It is clear that the Joint Standing Committee on Delegated Legislation took what can be appropriately described as at best a technical view - others might argue that it is an incorrect view - of the law that, as a matter of policy, we should support regulations that include within the fee to be charged an element that will give back to the community the benefits listed, particularly in respect of the vehicle licensing scheme.

There should be a power in legislation enabling the various departments to fix a fee that will include all elements of a service - including future services to be provided - sufficient to meet the cost of the provision of that service. Based on the committee's report, that cannot be done. Any fee fixed by regulation must relate to services actually provided and to the cost of providing those services directly to the person paying the fee.

The second reading speech contains something more than a suggestion that the view adopted by the committee was wrong. The Minister said -

The parliamentary joint standing committee formed the view that the fees were ultra vires the regulation making power in the Act because, according to the committee, the relevant sections of the Act did not authorise the making of regulations which go beyond "fees for services" and the licence fees therefore amounted to the imposition of taxation.

This view would, in the event of its being further accepted by either House, herald a new approach by Parliament. It would mean that only the direct costs of issuing a licence to a person would be recoverable as a prescribed licence fee. All other costs of administering a licensing scheme would not be recoverable by licence fees.

This view of the committee was not supported by the advice of crown counsel or of a leading Queen's Counsel not previously involved in the matter who advised that the approach taken by the committee suggested that an inappropriately narrow view had been taken of the ambit of the power to fix fees under the relevant sections of the Road Traffic Act 1974 (WA).

It is apparent that as a matter of principle the view taken by the Joint Standing Committee on Delegated Legislation should not be supported. If the view of the committee is correct, then the Opposition supports this legislation, which will place beyond any doubt the power to fix fees and charges such that they will cover all expenditures related to the provision of that service, whether they be contemporary or prospective, and which will enable all elements, including indirect costs associated with the provision of the service, to be recouped rather than requiring those services to be paid for out of the consolidated revenue fund. If the amendment does that, it should be supported. It appears to me that it does that and nothing more, where it provides in proposed section 45A(1) -

A power conferred by a written law to prescribe or impose a fee for a licence includes power to prescribe or impose a fee that takes into account any expenditure (including future expenditure) that is reasonably related to the scheme or system under which such licences are issued.

It would be wrong for a department to have the power to increase a charge for a purpose unrelated or only tenuously related to the reason the fee is imposed. I refer here particularly to the proposal by the Minister for Transport to increase motor vehicle registration fees by an amount in excess of \$50 in order to do something which it is in his interests to do but which is not the purpose for which the licences were proposed in the first place. I seek from the Minister an assurance that this amended legislation will not enable the Minister for Transport to have his department gazette an increase of \$50 in driver's licence fees to be used for road construction. I presume that is not the case.

Mr Prince: I could not say that the amended section would be able to be interpreted in that way because it refers to imposing a fee that takes into account any expenditure, including future expenditure, that is reasonably related to the

scheme or system under which the licences are issued. It would be stretching an awfully long bow of interpretation to say that it relates to some effective form of tax raising for road construction.

Mr McGINTY: That extremely long bow would not be beyond the wit of the Minister for Transport.

Mr Prince: With respect, if it were ever to be done, it should be done by purpose specific legislation.

Mr McGINTY: On the basis of that, which reflects certainly my understanding of the legislation, the Opposition is happy to indicate its support.

**MR MCGOWAN** (Rockingham) [4.51 pm]: Before commenting on the Bill, I will remark on the significance of today. As all members know or should know, today is Remembrance Day. Today is also significant for two other reasons in Australian history. The second reason is that on this day in 1975 the Whitlam Government was dismissed. The third reason is that on this day Ned Kelly was hanged in Melbourne in the 1890s. I cannot recall the exact year.

Mr Prince: It was 1893, I think.

Mr MCGOWAN: Just in case the Minister is misleading the House, I will check the date!

Mr Prince interjected.

Mr MCGOWAN: It is important that we note today is such a significant day in the history of Australia for those three reasons. The most significant event of course was the ending of the First World War. I had the pleasure this morning of attending a Remembrance Day service in my electorate, which commemorated the event and the fact that the war ended. Unfortunately, it did not end before this day, but the suffering of hundreds of thousands of young Australian men and women came to an end on this day.

I was a member of the Joint Standing Committee on Delegated Legislation when it brought down its report, which resulted in this provision coming before the House. The committee's view as expressed in the report was unanimous. The member for Girrawheen was present and made a substantial contribution to the report, as did the member for Wagin. The committee comprised seven members of Parliament. The member for Wagin was the chairman. The committee members were Hon Nick Griffiths, the member for Wanneroo, Hon Barbara Scott, Hon Jim Scott, the member for Girrawheen, and me. As the member for Fremantle said earlier, the committee unanimously decided that the provisions for increasing various fees for drivers' licences were ultra vires; that is, outside the scope of the powers to impose fees for service given to the Department of Transport by the Road Traffic Act. The other place upheld that decision when it also decided that fees for service can be imposed only when they have a direct relationship to the service provided. For a number of reasons, which I will briefly refer to later, the fees imposed by the Minister for Transport were outside his powers under the Road Traffic Act.

Overall the State has two principal methods of raising funds: First, by taxation and, second, by fees for services provided by the State. Another source of funds, which the State probably never did possess, is excise. I am not sure whether the provision for taxation is contained in the State Parliament's Constitution, but an enduring feature of the Commonwealth Parliament is that the Commonwealth Government cannot spend money unless it is appropriated by the Parliament. I suspect that is also the case under the State's Constitution. One of the features of our system of government, which prevent the widespread corruption existing in other systems of government around the world, is the Parliament's having such a tight control over the way in which money is spent. The spending of money has to be accountable to the Parliament by the Supply Bills which go through it.

The Delegated Legislation Committee made some recommendations to the Parliament, which the other place upheld, as I have said. Shortly after that, I related to the House the fact that the Department of Transport, presumably with the Minister for Transport's concurrence, acquiescence or direction, refused to carry out the directions of this Parliament as expressed by the other place. It refused to delete the driver's licence fee increases. From memory, the fees for a one year driver's licence went from \$25 to \$29 and for a five year driver's licence from \$91 to \$95. In any event, the increase of \$4 or \$5 was struck down by the other place. At that time, the Minister ignored that direction on the basis of an obscure provision in the Interpretation Act, which enabled him to get round the directions of the other place.

Members may have differing views on the decision of the Delegated Legislation Committee and on the rightness or wrongness of the decision of the other place. The Minister thinks that the decision of the other place was wrong. Notwithstanding that, the other place having made that decision, it was offensive for the Minister and the Department of Transport to decide to ignore it. The decision was made by a democratically elected House of Parliament of Western Australia. Accordingly, the Minister should have stuck by the decision. I would appreciate the views of the Minister for Health on that when he responds to the Opposition's remarks. I am sure he, as a lawyer, would also agree with me that the directions of the other place should have been followed. The excess fees for service have cost



the public of Western Australia in excess of \$200 000 or \$300 000. The Minister for Transport and the Government owe us an explanation.

The member for Fremantle referred to the Delegated Legislation Committee's report. I was unable to obtain a copy before the commencement of this debate, but I have an opinion, albeit a brief one, of Dr Schoombee, who advised the Delegated Legislation Committee at the time it made its decision. Dr Schoombee's opinion sets out a number of High Court rulings that confirm his view that fee increases for drivers' licences are a tax and not a fee for service. His reasoning is that under the fee increases, licensees would be paying for services that were not as yet being rendered to them. The Department of Transport's explanation for imposing the increased licence fees is that it has to meet a number of expenses that it is incurring. Those expenses include improvements in relation to drivers' licences. However, these are not yet in effect, so members of the driving public of Western Australia would pay an increased fee for services that were not yet in place. Under the *Air Caledonie* case that was decided in the 1960s, Dr Schoombee found this was a tax and not a fee for service.

Dr Schoombee also said that the total fee for the licence, particularly for the five year licence, goes beyond cost recovery in respect of the licence; that is, the fees that were imposed were far higher than the administrative costs for providing licences to drivers on Western Australian roads. The Joint Standing Committee on Delegated Legislation agreed with that argument because there was no real justification for the costs being imposed upon Western Australians. The figure of \$26 was plucked out of the air for a one year licence. There was no real justification in terms of the cost of a licence, the people involved in the provision of the licence or the cost of the infrastructure required to provide for licensing. The department gave a generalised, diffuse statement that there were significant costs involved and the fee increases were necessary to meet these costs. It is all well and good for the department to put that argument. However, that argument would enable them to impose any fee they like for a licence because the costs in relation to roads, infrastructure for licensing centres, wages and salaries for the people who work there, computer and information technology and the other things associated with that are an expensive cost upon the people of Western Australia. One must wonder at the reasoning of the department when it tries to say that these fees were being covered by a \$26 fee for a one year licence and a \$95 fee for a five year licence.

I am concerned that the Minister's second reading speech left out the fact that in making its decision, the committee was advised by not only the administrative officer assisting the committee, Mr Andrew Mason, who is a competent young lawyer who will no doubt go far, but also an experienced constitutional lawyer, Dr J. Schoombee. The second reading speech relied upon the advice that the Government had received from crown counsel and an eastern states lawyer. It appeared farcical to the committee that, when it received its impartial legal advice, the Government would then pay someone from the eastern States to provide advice that was contrary to that given to the committee. That is even though the committee included government members, and the chairman of the committee, the able and impartial member for Wagin, was fair and objective in his assessment of these fees.

Mr Prince: As always.

Mr McGOWAN: Although I am no longer a member of the committee, I was impressed by the chairman's impartiality. I do not know whether the Minister wrote his speech, although I suspect not. However, the speech insulted the officers of the committee who prepared the report. The Minister has also adopted a novel approach to the law relating to fee for service that has been laid down in a number of precedents, that these fees must have a direct relationship to the services provided otherwise they must be authorised by Statute.

This amendment Bill is all encompassing, as it will amend the Interpretation Act rather than the Road Traffic Act. I commend the Minister on that aspect, because that will avoid this problem in future. However, I sound a note of warning to the Minister: The Government must keep an eye on the way that departments impose fees. It should not give departments carte blanche without scrutiny by the elected Houses of Parliament. That is something the Government and every Minister in this State will need to watch carefully.

**MR WIESE** (Wagin) [5.06 pm]: As has already been indicated, for the past six months I have chaired the Joint Standing Committee on Delegated Legislation. This amending Bill arose as a result of the work of that committee. A couple of the matters raised by that committee subsequently led to disallowance of a number of charges that were imposed. Those disallowance motions were passed by the upper House. This issue has not arisen just in recent times; it goes back at least seven or eight years. I was a member of the Delegated Legislation Committee at that time when it endeavoured to address the issues that we are debating now in relation to what is a tax and what is a fee. This Bill addresses some of the issues that were raised by that committee and by others at that time and I am sure for a period long before then. I am pleased that the Bill attempts to address the problems raised over that long period.

I also express some warnings, as did the member for Rockingham, on the implications of the amendments that are included in the Bill. The Bill potentially widens the scope of the bureaucracy and, of course, Ministers and the Government to use regulations to impose fees which may be taxes. It is not only my belief but also I am sure that

of the Minister who will be responding that taxes can and should be imposed only by the Parliament. Departments and Ministers should not be able to impose fees which are in fact taxes without reference to the Parliament. That is one of the basic keys upon which our system of parliamentary government is based. This Parliament must be very careful that it does not reduce the ability of the Parliament to scrutinise what may well be taxes imposed by Ministers or departments using amendments such as those we are now debating. So-called fees, which may well be taxes or matters that should be referred to the Parliament and on which it should make a judgment rather than the Joint Standing Committee on Delegated Legislation, should not be imposed by regulation. Ultimately regulations can be disallowed, and I am pleased that members in both Houses of Parliament are questioning some of the regulations put before them, because that is the process that should take place. In relation to fees that may be taxes, the Parliament must be very careful about delegating its power to the bureaucracy and the departments. Parliament must keep a strong rein on the actions of the bureaucracy and the departments.

These amendments substantially widen the scope of the bureaucracy to impose what may well have been regarded as taxes in the past by now describing them as fees. There has been much comment about the fees imposed by the Minister for Transport and the Department of Transport, to which the member for Rockingham referred. Reference was made to the *Marsh v Shire of Serpentine-Jarrahdale* case, and that is one of the key cases by which many of these matters are considered to ascertain what is a fee, what is a tax and what is allowed. I understand the judge in that case indicated that there should be an ability, as there is by way of regulation, for a department to some extent recoup itself for the administrative effort in considering an application for, and physically issuing, a licence. The judge said there should be a means for raising that money by way of regulation to cover administration and physical handling of the licence. However, in that case the judiciary disallowed fees to the extent that they went beyond that. That has been carried on in a series of cases subsequently, and many previous cases were used as a basis for the judgment.

These proposed amendments will widen the scope far beyond the extent accepted in the past for the recovery of some of the costs of implementing and issuing licences. It will be widened to allow for costs which could be reasonably set. That goes far beyond the previous situation in all the interpretations of which I am aware, whereby there had to be a strong link between the moneys recovered through the fees and the cost of implementing the scheme.

Proposed new section 45A will allow a fee that takes into account "any expenditure", and that is a very broad term. It goes further and includes "future expenditure". It need not be expenditure incurred in the processing of the licence or application for the licence, but it may be future expenditure, whatever that may be. It goes even further by allowing that it may be any expenditure "reasonably related to". It need not be directly related to the scheme under which the licence is issued, which would be appropriate. Again, that is an extremely broad term and one wonders exactly what will be picked up in the future when fees are imposed that are said to be "reasonably related to" the licences issued. That gives an indication of how widely these matters can be interpreted.

I use an example that was before the committee which involved a move to disallow the regulations. It related to the imposition of a fee for the use of a credit card to pay for a driver's licence. Previously licences had to be paid for over the counter at various designated places. The regulation before the committee allowed for the fee to be paid by credit card. However, the level of fee for the use of a credit card was imposed not only on the estimated 10 per cent of users, but was imposed on everybody. Therefore, everybody obtaining a driver's licence will pay the extra charge, although that extra charge will be incurred only by those who pay using a credit card; that is, the merchants' fee of 1.5 per cent. In that way, approximately \$900 000 will be raised by the increase applied to 100 per cent of applicants who renew their licences, even though only 10 per cent will use a credit card. The basic fee to the merchant will be approximately \$3 for each use of a credit card, even though the fee for the average user is only 40¢. A truck owner with a B-double and a semitrailer who uses a credit card to pay for his licence, at a cost between \$8 000 and \$10 000, will pay a rake-off of approximately \$120 to \$150 to the merchant who is providing the credit card service. Those who do not use a credit card to pay their licence will pay for that person who is paying his licence by credit card. This Parliament is putting in place legislation to allow that usage. That certainly was not allowed under previous interpretation legislation and, I understand on the basis of all the advice available to the committee and its advisers and on the precedents, it would have been rejected by the High Court. That type of fee would never have been allowed. However, on the basis of proposed new section 45A there is every likelihood that it would be allowed in future.

The situation is even worse because not only is this Parliament allowing for a credit card to be used, for which everyone will pay regardless of whether they use a credit card, but also it will allow all the charges that have been raised since 1 July - it could have been the beginning of May - which were included in that increase in fees, for a service that is not yet available. Everybody has been paying this increase for five or six months for a service that is not yet available. That is one of the matters of concern, and it behoves us, as members of Parliament, to keep a close eye on the way this legislation will allow fees to be imposed which previously would have been and should have been disallowed. The Parliament should look closely at some of the broad matters which these changes to the legislation will allow.

Some of the terms used in this Bill are very broad. The words "matters to which the charges relate" in new section 45A are very broad. It could be argued that those words should limit the extent to which these charges can be brought, as was the case previously. This Bill will allow these matters to be far broader than was the case previously. The words "takes into account" are again quite broad and vague, and I wonder why those words were used rather than the more direct word "recover", which would tighten up the matter.

I have indicated some of the problems with which the committee has grappled. I am pleased that the Government has taken note of the issues raised by the Delegated Legislation Committee and has addressed those matters in this Bill to some degree.

**MR PRINCE** (Albany - Minister for Health) [5.21 pm]: I am obliged to members opposite for their support of the Bill; I think the member for Wagin indicated support. The purpose of this Bill is to rectify an apparent difficulty that has arisen with regard to a question of interpretation. It is a difficult question, as the member for Wagin was good enough to outline, and it has been debated in the Joint Standing Committee on Delegated Legislation, if not also elsewhere, for some eight or nine years.

The matter that led to this amendment was the rejection by the Joint Standing Committee on Delegated Legislation of the increase in driver's licence fees. It appears that the committee formed its view primarily on the basis of the decision of the High Court in *Air Caledonie International and Others v The Commonwealth of Australia* (1988) 165 Commonwealth Law Reports 462. However, that is not the only legal precedent that should be taken into account, because there is learned opinion about whether that case sets out the proposition as put forward by the Delegated Legislation Committee. I am very much obliged for my information on this matter to crown counsel Mr Robert Cock, and to Mr David Jackson QC of the Sydney Bar, who provided me with a full elucidation of some the legal history of this debate.

The joint standing committee relied on the *Air Caledonie* case to argue that in considering any increase in licence fees, any regulations providing for an increase which could not be shown to relate to an identified service provided or rendered individually to or at the request or direction of the particular person making the payment would be ultra vires. However, it relied also, as the member for Rockingham said, on advice that it had received from Dr J.T. Schoombee of the Western Australian Bar. It appears reasonably clear that Dr Schoombee has had regard to the *Air Caledonie* case and has taken the view that a licence fee will not be a tax only when it merely covers the actual cost of the administrative services rendered to the licence holder in issuing the licence. A similar view appears to have been taken by Mr Neil McLeod, Associate Professor of Law at Murdoch University, in his article titled "State Taxation: Unrequited Revenue and the Shadow of Section 90", (1994) 22 Federal Law Reports 476.

The interpretation by Dr Schoombee and that which was followed by the Delegated Legislation Committee is, I say respectfully, at best too narrow. Section 47(1) of the Road Traffic Act states that the fee payable on the issue or renewal of a driver's licence shall be "such fee as is prescribed". The power to prescribe fees is found in section 111(2), which refers to "prescribing matters for and in respect of which fees shall be charged and charges made and prescribing the amount of such fees or charges." That was a fairly normal method of expressing the regulating making power for fees in the mid-1970s, and it has not changed much since.

The joint standing committee formed the view that the increase was ultra vires the regulation making power because sections 47(1) and 111(2) did not authorise the making of regulations which went beyond charging fees for the provision of services, and consequently amounted to the imposition of a tax. Those two provisions are silent about whether driver's licence fees involve an element of revenue gathering as well as reimbursement to the State for the direct cost of administering a scheme to provide for drivers' licences. In summary, section 47(1) states no more than that the fee payable on the issue or renewal of a licence shall be such fee as is prescribed.

One might say that if an element of taxation were involved in the computation of the fee, so what? There are cases which would read down the ambit of the words in section 47(1), largely by reference to the notion of a fee, so that the regulation to impose a tax would be ultra vires. The leading case, as the member for Wagin mentioned, is the case of *Marsh v Shire of Serpentine-Jarrahdale* (1968) 120 Commonwealth Law Reports 572, in which the High Court held invalid a bylaw of a local authority which sought to impose a fee for an extractive industries licence, the fee being calculated by reference to the quantities of material extracted. That is quite different from the factual situation here. The land on which extraction might take place was not owned by the local authority. The Act allowed the imposition of the fee and the local authority to "fix fees payable for and the duration of the licence". It was held that the by-law that the local authority had passed was ultra vires in providing for a fee which went beyond the charge fixed by reference to the cost of administering a licensing system.

The notion underlying the *Marsh* case and related decisions was stated in 1917 in *Elders Trustee and Executor Company Limited v The Registrar of Probates for South Australia* (1917) Commonwealth Law Reports 189 at page 173 where it stated -

A "fee" has been defined by Maule J. in *Bloor v. Hudson* as "a sum of money paid to a person for a service done by him to another." A "tax" in the sense suggested here is an impost irrespective of service.

I emphasise that comment because it is an interesting distinction. That method of characterisation is somewhat simplistic, and the answer will always depend upon the meaning of the Statute. One cannot go to a simple test like that and say that this has applicability generally. When the late Sir Garfield Barwick was Chief Justice he said in the *Marsh* case, and Justices McTiernan, Menzies, Windeyer and Owen all agreed with him -

But, although the broad distinction between a fee for performing a service and a tax to raise revenue is quite valid, the instant question as to validity is not necessarily answered merely by designating this payment as one or the other. What is authorized under the description of a fee may very well be a tax and yet within the actual authority given. The question remains one of interpretation of the statute, bearing in mind its relevant purposes and the part the issue of a licence plays in them or with respect to them.

That clearly puts the issue back to: By all means look at the general principle but one must always look at the subject Statute, what it exists for, what it exists to do, its objects, and its purposes. In *Wilson Parking Pty Ltd v the City of Perth* (1983) case, *Western Australian Reports* page 12, there was an example where the broad scheme of the Act led to the view that the licence "fee" was not a tax, even though the amount went beyond that required for or to give effect to the licence itself. If the member for Wagin looked up that case he might find a distinction. It is an interesting point. The use of the term "fee" in an Act suggests, at least *prima facie*, that the conferral of the power to impose a fee is not intended to confer a power to tax unrelated to the costs of administration of the scheme pursuant to which such licences are to be granted. The view would probably be taken of sections 47(1) and 111(2)(j) of the Road Traffic Act but that is not the only result; it is only a possible result. That does not mean that the concept of a fee should be treated as relating only to fees or charges directly related to the costs of issuing or renewing licences. The *Air Caledonie* case does not establish any such principle; it must depend, as the *Marsh* case indicated, on the terms of the Statute in question. To read *Air Caledonie* in any other way is to do disservice to the line of authority that precedes it and to what is written in that case.

I refer members to the remarks of the late Sir Garfield Barwick. In this regard one must consider the context in which sections 47(1) and 111(2)(j) are found; it suggests that no narrow view can be taken of the matters which may be taken into account in fixing driver's licence fees. Under the Road Traffic Act there are many expenditures to which drivers' licences may be reasonably related. As an example, I refer to section 8 of the Road Traffic Act which set up the Road Safety Council. The costs of that must be borne. Parliament may make funds available for the road trauma trust fund under section 12A(2)(b). Fees from vehicle licences are paid to the Main Roads trust fund under section 22(5) but they may not meet the annual cost of roads. The costs of enforcement of the scheme for drivers' licences must be met. Sections 49 to 53, 67(3), 67A(3), 75 to 78, 87(a), 97(c), 97(d), 97(g), 97(h) and 103 contain a series of enforcement measures which relate to drivers' licences, and the cost of administering that must come from somewhere. That can reasonably be related -

Mr Wiese: You must be aware of the matters to which I referred. Enforcement by the police is paid for out of consolidated revenue. You intend to broaden it to allow money to be raised by way of driver's licence and vehicle fees, which will mean you will go far beyond where we have been before. Those matters should be the subject of a decision by Parliament, not the bureaucracy of the department.

Mr PRINCE: The view that the member came to was a narrow one. It is an opinion which is not necessarily shared by everyone, although it may be widely held by some. I do not say it is right or wrong. I am simply pointing out that there are two valid interpretations and the member's committee took one, which has consequential results among which is this legislation.

I am simply making the point and presenting the debate and argument to indicate another view which is equally valid. All the matters I have just mentioned may properly be taken into account in fixing the amount of the fee. I see no reason that only the costs of today should be taken into account: Fixing a fee for licences for a future period if the fee is to be related to cost must involve some estimation of likely or potential future costs. The fact that a person can have a driver's licence for five years must mean that we take into account potential costs which are not presently incurred nor could be.

All that is required is a reasonable relationship as defined in *Allwrights Transport Ltd and Ashley* (1962) 107 Commonwealth Law Reports 662 at page 668 by the then Chief Justice Dixon with Justices McTiernan, Kitto and Windeyer agreeing. It is not new law I am talking about; it is case law from the High Court that is 35 or more years old. It was stated that there must be a reasonable relationship between the amount of the fee and the expenditures which the Statute contemplates may take place. That view can be taken legitimately of sections 47 and 111. It seems not unreasonable to say that the joint standing committee opinion could be characterised as inappropriately narrow. If I say that - and I do, with respect - I am saying so as an expression of opinion. For the member for Rockingham

to suggest that somehow there is some sort of lese-majesty in disagreeing with the view of the committee is somewhat naive, because we are talking about matters of opinion and interpretation. No opinion is necessarily right, because of the very nature of an opinion.

Costs of issuing licences and credit cards, to which the member for Wagin referred, was an interesting point, but the cost of issuing licences will not be the same from one licence to another. If one lives in the southern part of the State the cost of the public service to administer the scheme will be less for wages and salaries and housing and living expenses than in the northern part of the State where accommodation is provided, with airconditioning and so on. That is a simple example. We cannot have the same cost for the issuing of different licences. The member for Wagin lives in the city and I live in Albany. No doubt if one could break down the cost of issuing a licence the member holds and one that I hold it would differ in some material particular because of where we live.

Then one brings in the credit card. If one takes the member's view, I would pay a fee precisely related to the exact cost of issuing my licence. The cost of my licence will not be the same as the fee paid for the member's licence. That would create administrative chaos and could never be done. If one has a uniform fee, and one offers the alternative of paying by credit card, some people will pay for the administration process which allows the use of credit card even though they do not use that facility.

Mr Wiese: Ninety per cent of people will pay.

Mr PRINCE: They will pay as that is the way our world has moved with the payment of many accounts. The member and I may not agree with that trend, but that option should be offered to people. Once the decision is made, a fee is struck which takes into account the totality of the cost of a fee paying system which includes credit cards.

The same principle applies in the court system with the opportunity to pay fines by credit cards. Perhaps we should go back to cash, but we are moving to a cashless economy. Bringing in credit cards is probably a sensible move which may involve only a small proportion of the current licence paying public. However, in due course payment by card will become a larger percentage of total payments.

I trust that with those remarks I have addressed most of the substantive points made in the second reading debate. I am grateful for the support for the legislation which will clear up this vexed question. As I said by way of interjection to the member for Fremantle, I do not consider that this amendment would give power to any Minister, bureaucrat or anyone else to raise a tax. A \$50 levy for road funds was the example raised by the member. Such an imposition, if it were to be contemplated and introduced, should be applied through specific legislation, which is the only proper way to handle a matter which plainly is a tax. We are talking about overcoming a problem with a fee which may or may not contain a tax element, but is reasonably related to the object and operation of the Act; that is, when the legislation prescribes that the fee shall apply for certain purposes.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate and transmitted to the Council.

## **PAY-ROLL TAX AMENDMENT BILL**

### *Second Reading*

Resumed from 23 October.

**DR GALLOP** (Victoria Park - Leader of the Opposition) [5.43 pm]: The Opposition supports this small piece of legislation which seeks to rectify minor errors in the Pay-roll Tax Act. The background to the legislation is that the Revenue Laws Amendment (Taxation) Act, which received royal assent on 25 June 1997, among other things, introduced a new tax scale which included the reduction of the top marginal tax rate from 6 per cent to 5.56 per cent. To implement the new tax scale, the Revenue Laws Amendment (Taxation) Act sought to replace all references to the 6 per cent rate in the Pay-roll Tax Act with the rate of 5.56 per cent. However, due to an oversight, a number of sections of the Pay-roll Tax Act which made reference to the existing top marginal tax rate of 6 per cent were not amended to reflect the new rate of 5.56 per cent.

These omissions relate to certain circumstances. Firstly, the top marginal rate is to apply to wages where an estimate of those wages is not provided for the commissioner for determination of an appropriate rate based on that estimate; where the commissioner can determine a rate below the top marginal rate when an estimate of wages is provided; and where the top marginal rate is to apply when a return is not lodged with the commissioner to enable him to reconcile wages for a previous year, thereby determining the rate which should have applied.

The Government claims that this oversight has not caused any difficulty to taxpayers, and the Bill seeks to make the Bill retrospective to 1 July 1997. The Opposition supports the Bill as the oversight must be corrected to ensure a

consistent application of the new tax scales across business. However, these oversights in the ordinary course of government business should not occur, and measures should be implemented to ensure that such mistakes do not occur on a regular basis. Such mistakes create unnecessary legislation and a waste of parliamentary time. We are aware that the Government is not exactly flush with parliamentary business at the moment; nevertheless, the creation of unnecessary legislation is to be avoided at all costs. Such mistakes reduce community confidence in the Government's ability to manage its legislative program effectively.

In relation to taxation matters generally, the Opposition's position on tax reform in Australia and the strategy which should be adopted in federal-state relations has been confirmed as appropriate. The Premier decided to link his support for intergovernmental reform with the Federal Government's proposed goods and services tax. Therefore, when all the Premiers and Chief Ministers met, agreement could not be reached. As I and other commentators indicated, agreement would not be reached on the fundamental question of a goods and services tax. Without that agreement, the position of the Premiers - who should have been able to go to the Federal Government and present a united front - looked weak. The statement produced by the Premiers would not frighten too many Federal Governments into making them change their agenda.

If the GST had been taken out of the debate, and had our Premier focused on something upon which all Premiers could have agreed - namely, the proper sharing of income tax collection, made on the basis of a progressive system of tax rather than a regressive consumption tax proposal - the Premiers, in a united front, could have pushed a hard bargain with the Federal Government on behalf of the States. Unfortunately, the Premier's failure to understand that basic point of intergovernmental politics has resulted in the States not achieving a strong negotiating position with the Federal Government on this question. Agreement on a GST will never be achieved in Australia. If the Federal Government wants that proposed tax reform adopted, it will need to force it through the Federal Parliament against great opposition from the Labor Party, some of the States, the small business community and increasing sections of the general community with concern about its impact on their ability to meet their weekly expenses under such a regime.

The whole push for intergovernmental tax reform has taken a step back rather than forward as a result of the Premier's approach. Consequently, the Premiers will not have a united front on tax reform and, as usual, the Federal Government will divide and rule and no power will be directed back to the States in their use of money collected by the Commonwealth.

The Premier was keen to talk about his wonderful strategy to all who would listen. However, when one considers the strategy in the context of the politics of Canberra and the States, it has been a complete and utter failure.

**MS MacTIERNAN** (Armadale) [5.49 pm]: The Opposition supports the Bill because it seeks simply to amend what is fundamentally a clerical error. I note that the Bill is retrospective in its operation. This is one of the instances in which one can squarely support retrospectivity in legislation. We have noted an increased propensity on the part of the Government to introduce legislation of a retrospective nature which very often cannot be supported as a matter of principle.

Mr Cowan: When is the last time that happened?

Ms MacTIERNAN: It happened with workers' compensation legislation and it has occurred in a number of instances in other aspects of the industrial relations area. The workers' compensation legislation introduced an alarming and injurious retrospectivity regime. Although it might be a laughing matter to the Deputy Premier -

Mr Cowan: You made a mistake. You are not sure what I was laughing at, or whom I was laughing at.

Ms MacTIERNAN: None of the Deputy Premier's National Party colleagues is in the Chamber. His mirth is a little difficult to understand.

This is the sort of instance in which retrospectivity can be embraced. To do otherwise would be unfair in this instance. We would be imposing a regime of tax that was unintended by the Parliament if we failed to pass the retrospective element of this legislation.

I believe strongly that the Government must do all it can to move away from payroll tax. It is a tax on jobs. At a time when unemployment is, without doubt, the number one social problem, it is completely unacceptable that we are sticking with a regime of payroll tax. It has been said by people, on even this side of the House, that because the Government keeps raising the threshold of the payroll before the tax becomes operative, fundamentally it is taxing only very big companies and, therefore, it is not that much of a problem. I reject that argument. Economic indicators show that the percentage of gross domestic product that is going to wages is steadily declining and the percentage going to profit is increasing concomitantly. Companies are producing more and more profit with less and less labour. Under those circumstances it seems iniquitous to attach a tax to the incidence of employment. If a company is

looking at the relativity of a capital investment vis-a-vis a human resources investment, payroll tax may well tip it in favour of introducing labour saving devices in areas where we may want to foster the use of employment. In a way, payroll tax introduces an unlevel playing field. It introduces a bias in favour of capital investment against the investment in human resources. That is not something we can dismiss lightly. It must be our number one priority in tax reform.

I understand the difficulties the State has, particularly because of its limited constitutional rights in tax collection. However, I would rather see the State have a cooperative venture with the Federal Government under which a surcharge was placed on profit rather than on the size of a payroll. It seems iniquitous to impose on a company that might have an identical profit to another company a higher regime of tax simply because the first company took it upon itself to employ more persons than another company. It is counterproductive and cannot be justified on any grounds. It can distort the decision making in relation to employment and capital investment.

**MR BROWN** (Bassendean) [5.55 pm]: As other members on this side of the House have indicated, the Opposition supports this Bill. I thought another Bill might be introduced by the Government in the payroll tax area that relates to the scope of the payroll tax changes that were implemented earlier this year. Members will recall that the Bill brought before the Parliament earlier this year changed the scope of payroll tax so that payroll tax is no longer levied strictly according to wages, but according to wages, superannuation and fringe benefits. That matter has been taken up with me by people in business, particularly at the larger end of small business. I have drawn to their attention the Premier's comments in this Chamber that it would not add to the complexity of their payroll. That is, they currently carried out calculations in relation to fringe benefits, superannuation and wages and that in effect all they needed to do was add the three together and apply them for the purposes of payroll tax, and there was no difficulty in further compliance costs with the changes that were introduced.

I have been freely handing out copies of what the Premier said in *Hansard*. A number of people in small business do not agree with it and suggest that if the Premier had some small business experience, it might be a good time for him to get a little more. They suggest that what he says in *Hansard* is not correct. I previously brought to this House a letter from one of those businesses which was scathing of the change and which considered it to be a thimble and pea trick. In the last changes the payroll tax rate was reduced and the threshold was increased, but the scope of the payments made was broadened so that in effect for that individual company more was being paid. At the time I had a debate with the Deputy Premier about whether this change would lead to an increase in revenue; that is, whether it was a revenue raising measure as opposed to a tax neutral measure. The Deputy Premier indicated that this was a tax neutral measure.

Mr Cowan: It was supposed to be. It was calculated to produce the neutral result.

Mr BROWN: Yes. The Deputy Premier conceded that although, as he now says, it was calculated to achieve a tax neutral result as from day one, over time it would increase revenue at a greater rate than would otherwise be the case if the existing arrangements were left in place. I suppose that is due to a couple of things, one of which relates to the fact that salary packaging has become far more prevalent in industry. A number of advisers now work in this field. I heard one such adviser on the radio just yesterday, advertising his wares that by salary packaging and a number of other devices one could get tax advantages, which is the euphemism for saying that one can avoid tax by using that sort of mechanism. We have seen that being used in a variety of areas to avoid tax, whether it is payroll tax at a state level or pay as you earn tax at a national level. The Western Australian Government used that device in the hospitals area to reduce by salary packaging the amount of PAYE tax employees paid and by giving other benefits that were of an equivalent value to the employee but which obviated the need to pay tax.

*Sitting suspended from 6.00 to 7.30 pm*

Mr BROWN: Before the dinner suspension I made the observation that I hoped the Government would introduce more than this simple amendment. I managed to place on the record matters relating to the Government's previous changes to the payroll tax legislation. A number of matters which are now being taken into account in determining the payroll threshold have changed. That has some implications of a compliance measure for business. I do not wish to continue the point; however, I invite the Treasurer to respond to the comments that have been made on the Bill from those on this side of the House.

**MR COURT** (Nedlands - Treasurer) [7.32 pm]: I thank members for their support of the legislation, which corrects an oversight in the Act. A number of comments have been made about taxation issues in general. In response, I just want to say that over the next year we will have an opportunity for a refreshing debate about taxation issues. The Federal Government has committed itself to producing a taxation reform package prior to the next election. It will need broad support from the States and Territories if it expects to get a package through. The year ahead will be an interesting time. I thank the members for their support of the legislation.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate and transmitted to the Council.

## INDUSTRY AND TECHNOLOGY DEVELOPMENT BILL

### *Second Reading*

Resumed from 16 October.

**MR BROWN** (Bassendean) [7.34 pm]: The Opposition supports the Bill. During this debate I and my colleagues will be raising a number of issues, to which I hope the Minister for Commerce and Trade will respond.

Mr Court: Have you got all your colleagues here?

Mr BROWN: They are here, I assure the Premier. At this juncture we have not put any amendments on the Notice Paper. Our attitude to amendments will be influenced by the response we receive. In the spirit of the debate, we will keep an open mind. Any amendments we wish to move will depend upon what we hear in response to our comments. Before talking about the Bill, I indicate that we will seek to go into Committee to clarify various matters of detail that are not easily dealt with in one broad second reading contribution.

Mr Cowan: There is an amendment on the Notice Paper in my name. An oversight has to be corrected, so we will go into Committee anyway.

Mr BROWN: In supporting this Bill, I was trying to decide how one might broadly describe it. My description is that it is an operational Bill. It seeks to define the roles and responsibilities of the Minister, the relevant department - that is, the Department of Commerce and Trade - and the advisory council, and to set out where responsibilities lie and the degree to which certain responsibilities or authorities can be delegated. In addition, it seeks to clarify the position of the Government on the employment of personnel in overseas offices.

It seeks to clarify where funds may be drawn from, and the authorities and the Minister through which funds are appropriately drawn. It seeks to provide clarification on the authorisation of funds drawn for industry purposes and to put in place what might loosely be called a checking mechanism to ensure that not all power for very large sums is simply handed over to the relevant Minister at the time to dispense in accordance with the guidelines proposed under the legislation.

The Bill also seeks to provide greater clarity of the direction of funds provided for industry assistance. To that extent it provides for guidelines to be framed setting out the nature of various programs that will operate from time to time by Government and how funds may be accessed under those programs. Broadly it seeks to clarify and to confirm how the system operates. In my view the Bill is well drafted. Parliamentary counsel have been quite astute in drafting the Bill for clarity. All of it is very positive. It provides a coherent framework so that when we read the Bill, we can readily get an understanding of the system and the processes that must apply in the event of some assistance being sought, whether it is clearly defined by a guideline under the Act or is one-off or special and requires other authorities.

That is all very positive. Equally, the role of the Minister is clarified. The one matter that is left at large, although covered in the Minister's speech, is the role of Parliament in the approval process; that is, is Parliament simply the receiver of advice or should Parliament play a more active role in the approval of financial assistance to industry per se or to a given project or enterprise?

Having clarified what is my perception of the Bill it is also important to record what the Bill does not do. It is essentially an operational Bill which seeks to define roles and responsibilities. It does not establish industry policy as such. If one looked in the Bill for determination of industry policy for the State or the extent to which the policy is appropriate for Western Australia, given our natural resources and advantages, one would not find it. It is important to separate the industry policy debate, which of course is a significant debate in Australia, from the mechanics debate of this issue.

In saying that, the Bill of itself does not direct where industry assistance should be channelled. It does not provide a guideline on which economic activities should be supported by the State, nor does it clearly set out any policy on assistance overall. Much has been written about when financial assistance to industry should be provided. Indeed, last year the Public Accounts and Expenditure Review Committee examined this issue in its very significant report on state support to industry and sought to clarify where it is appropriate and where it is not appropriate to provide support. That principle is not contained in the Bill. It is problematic whether it should be. It would depend on the overall industry policy the State elected to adopt.

The view of the Public Accounts and Expenditure Review Committee was that government should not do what



industry can do for itself. Therefore, in seeking to intervene or provide financial assistance to industry it should consider only what can be done in the State's interests which could not ordinarily be done by industry or an individual enterprise.

Although the Bill does not seek to establish either an industry policy or direction of industry policy, it refers to industry policy. As members know, there are competing views about the degree to which the State and the Commonwealth should develop an active industry policy for generating industry and employment opportunities. The recently released Mortimer report once again canvassed the competing views on this subject. There are many shades of views about the general question of industry policy. On the one hand some people believe that industry should be left to its own devices and that government has no role and that it is dangerous for it to have a role. Government will inevitably make some wrong decisions in picking winners and therefore put at risk taxpayers' funds to the extent that government is incapable of picking winners. Even if government were capable of picking winners, it stands to reason that in the business cycle, not every project selected by government will succeed.

In a separate speech to the Parliament the Minister for Commerce and Trade indicated that there was always a level of risk in investment in projects or whatever. Despite the fact that government may attempt to be as cautious as possible in making investments, a level of risk is inevitable in the same way as private investment incurs a level of risk. Even businesses that are established and operating with a high level of prudential rules and care can find themselves in financial difficulty as a result of problems that are out of their control.

As the Mortimer report indicated quite succinctly, one view is that government should keep out of business and leave business to do its own thing. A converse view also indicated by Mortimer is that many other nations aggressively pursue industries that they perceive are in their national interest. They go out of their way to encourage those industries. We all know of examples in Malaysia and other South-East Asian countries, Europe or the Republic of Ireland where sometimes Governments of different political persuasions have said it is in the nation's or State's best interest to have an industry policy to provide government assistance - in land, tax-free holidays or any other way Governments consider appropriate - to attract industry. Mortimer indicated that we should not ignore what is taking place in other States or overseas. To the extent that government ignores that an imperfect market will be left in place and the population it represents will be disadvantaged without an appropriate industry policy. Any thoughtful person these days must agree that government must have a clear industry policy. There is no alternative for that because as much as people talk about a level playing field, it is more a myth than reality. Therefore government must take into account what is happening externally in order to ensure that industry simply does not bypass it.

Government must also consider what is in the State's or country's interest and identify the kinds of industries that it wants to attract and encourage. Of course, an industry policy can be passive - that is, provide nothing more than assistance to projects that look favourable but do not result in the development of nominated industry of a State or country. Or it can be aggressive - that is, the State may encourage the establishment of particular industries in the State's interest. The Bill, in isolation, provides either option. It does not specifically state that we should have an industry policy so that we can carve a niche for ourselves in a particular area. Nor does it state that we should have an industry policy that does nothing more than provide general assistance in the hope that industry will develop on its own and that it will receive assistance to overcome market imperfection.

However, the Bill does support an interventionist strategy. It does not take the view, which is taken by some, that government should sit on the sidelines and watch the game. This Bill clearly provides that government has a role to play. How aggressive that role is in the amount of funds available, its direction, and so on, are matters that are not contained in the Bill. However, the statement this Bill makes is that the Government sees itself as a player in the game and not as a spectator looking on from the sidelines.

One other broad argument about industry policy revolves around Governments that seek to be too specific about industry policy. By virtue of that specificity any opportunities or financial assistance provided will exclude other entrepreneurial activities that may benefit the State. However, if financial assistance is spread widely - if a general policy is available to all industry and businesses - then, given the natural benefits of the State and the natural resources, it may not be in the medium or long-term interests of the State and it would be better to try to direct funds to areas where the best opportunity for expansion exists. That must be considered. At the moment the Government's industry policy provides a range of programs and assistance, but the degree to which that assistance has benefited the recipients and the State must be examined. I call on the Minister for Commerce and Trade to comment on that matter.

I would never advocate that a Bill of this nature should include a precise industry policy, because obviously it must be adjusted, and sometimes quickly. However, those Governments with successful industry policies have been successful because they have set clear targets and they have never taken their eye off the ball. They have made decisions in the national interest that certain industries should be encouraged and in many instances they have been successful.

That is important when one considers industry policy options. Currently - and this will always be the case - only a set amount of money is available in the budget. One can spread that thinly or one can try to concentrate that money in areas that will result in potentially significant projects and employment and business opportunities for Western Australia.

I am sure the Minister is aware of the Chamber of Commerce and Industry of Western Australia's paper on the requirement for infrastructure development at Jervoise Bay which shows the degree to which investment and outlays by the State affect employment opportunities. The executive summary of that paper states -

The current high level of activity in the resources sector in the Western Australian economy offers excellent opportunities for local industry to participate in a wide range of major construction, manufacturing and service opportunities.

However, over the last few years there has been growing concern within some industry sectors that local content levels are now in a downward trend. Unless appropriate action is taken, WA projects will on average achieve local content levels much lower than would have been expected just a few years ago. For projects presently underway or committed such a decline equates to the loss of hundreds of millions of dollars to the Australian economy.

The report then goes on to state the different trends occurring in modular fabrication technology and the need for infrastructure to be developed at Jervoise Bay. The report also states:

With a commitment to the development of Jervoise Bay, the current market situation has the potential to provide:

Opportunities to develop innovative and efficient fabrication and techniques that provide a technological edge to local industry, as has been achieved in the aluminium ship building industry.

Establishment of new high technology service industries for the turbine, subsea equipment and process control markets taking advantage of the marine environment.

Development of long term, stable employment opportunities for a highly skilled workforce at all levels from design through to construction and operational phases of major projects.

Creation of the business networks and continuity of work necessary to secure the maintenance of technology competitiveness which is in turn required for Australian companies to take the leading position in major project development.

The adoption of a specific industry policy can have profound effects on employment levels in this State and, more particularly, on the nature of employment in Western Australia.

We all know that service industries have grown dramatically in recent years. While that has led to an economic boom for the State in areas such as tourism, we also know that, because of the highly competitive nature of these industries, part time and casual employment is very common and wage rates tend to be competitive and low compared with other industries in which wage and skill levels are high. That augurs well for the multiplier effect that one always sees in the creation of these industries. Clearly that direction is an important issue.

I note that the Bill deals not only with financial assistance to industry in the narrowest sense - that is, in the sense of providing specific financial assistance to a company or project - but also with the issue of the infrastructure development and identifying the infrastructure needs of the State. It is in the latter respect that I refer to the Jervoise Bay project.

I will refer to some issues raised by the Public Accounts and Expenditure Review Committee in its report on government financial assistance to industry. I will also seek the Minister for Commerce and Trade's views on the observations and recommendations contained in that report. The report looked particularly at accountability mechanisms for state support to industry and the nature of that support - how it should be directed and the monitoring and assessment of the assistance provided.

The Public Accounts and Expenditure Review Committee report was tabled at the end of 1996 and was entitled "Western Australian Government Financial Assistance to Industry, report No 31". In his second reading speech, the Minister for Commerce and Trade referred to the report commissioned by the Government, undertaken by Price Waterhouse Urwick and presented in December 1994 dealing with the review of the operations of the Technology and Industry Development Act. A number of the matters raised in that report were dealt with by the Public Accounts and Expenditure Review Committee, so there is some overlap between the two reports.

In his speech, the Minister for Commerce and Trade referred extensively to the Price Waterhouse Urwick report but

not to the Public Accounts and Expenditure Review Committee report. However, I note a significant timing difference in the tabling of the two reports - the Price Waterhouse Urwick report was provided in December 1994, whereas the PAC report was tabled on 17 October 1996. In relation to the latter report, which deals with matters of accountability, it is important to look at some of the issues and to see where the recommendations fit in relation to the Bill before the House.

I refer members to the summary of findings, which is in the preamble to the report on page 10 and, in particular, to the finding in chapter 3, which states -

The preferred approach for Government is to provide a culture and environment that promotes business growth. This should occur without the need for an undue reliance on financial assistance to industry.

Financial assistance should only be deemed as appropriate when it is provided through an industry policy. No such policy currently exists.

The committee was concerned that the Government should provide an industry policy and that financial assistance provided by government should be in accordance with that policy prescription.

I understand from comments made earlier this year by the Minister for Commerce and Trade that some work is being undertaken by the Government on an industry policy. Exactly where that is at this time, I do not know. Perhaps the Minister for Commerce and Trade will enlighten us about that.

It was the Public Accounts and Expenditure Review Committee's view that it was important, given the limited resources available, to channel those resources in the most effective way by directing them to areas recognised in the State's industry policy rather than generally. That view does not appear to be reflected in the provisions of this Bill.

In a similar vein, in chapter 4, the committee found as follows -

The development of an industry policy will enable Government to undertake its activities within a coordinated and integrated framework. This will reduce the incidence of ad hoc programs and decisions.

An industry policy will enable any financial assistance provided to be accurately measured against identifiable objectives.

The committee's concern was to ensure that there was a clear framework and a coordinated and integrated approach within that framework where taxpayers' funds would be directed. We would avoid the development of ad hoc programs.

The Price Waterhouse Urwick report pointed out that the Government needs some flexibility in that the role of the state agency, however it may be named, is to work closely with the Commonwealth. The State does not wish to replicate assistance programs provided by the Commonwealth and, equally, wishes to work in a way that complements those programs. I understand and support that. It appears that that view is not inconsistent with the view of the Public Accounts and Expenditure Review Committee. It simply means that, in developing an industry policy and providing funds under that policy, one can have regard to changes in commonwealth funding arrangements. Of course, in the past 18 months, we have seen a range of changes to commonwealth funding arrangements in respect of industry policy. Changes have been made to tax treatment of research and development expenditure, a number of commonwealth programs have been cut and the Prime Minister has made a statement about new programs for small business. Clearly this State must have regard for those changes.

Another finding of the Public Accounts and Expenditure Review Committee report under chapter 5 and reported at page 12 of the preamble was that comprehensive published criteria are essential for financial assistance schemes. Further on the report states that all financial assistance packages must be granted only for a clearly defined period and that all schemes and packages require the inclusion of monitoring and evaluation processes. I understand from the Bill that the intention is that guidelines for each program will be published, so that industry and interested parties can clearly examine the nature of the available programs. I also understand from the Minister's second reading speech that the intention is to table in the Parliament a report of the nature of the financial assistance available to companies and organisations. I am not able to work out from those two intentions how the Parliament will be able to reconcile that moneys made available to X, Y or Z companies under program X have been provided in accordance with the guidelines set out in the Bill. I do not know of any way currently that one will be able to discern if funds have been provided in accordance with the guidelines. If Parliament cannot work out on the basis of the information provided that funds have been made available under a program and they have been used for the purpose identified in the program, then the information is deficient. From what is currently being said, I do not know the degree to which Parliament is to be informed of that level of detail so that an assessment can be made.

Equally the Public Accounts and Expenditure Review Committee in its findings said that a more thorough analysis should be undertaken of the industry incentives that are provided. A concern of the committee was that funds provided are meeting the mark, having an effect and doing what they are intended to do. I looked at a recent client survey from the Department of Commerce and Trade on that very matter to see the degree to which provided funds have met the mark and achieved the purpose for which they were provided. If I may go through some of the effectiveness indicators on the investment and trade development program produced by the department, a range of effectiveness indicators relates to the degree to which the funds, advice or whatever assisted organisations to improve their performance, increase turnover and increase employment opportunities, contributed to investment in Western Australia and assisted in exports overseas or interstate. This range of effectiveness indicators has been produced for the assistance provided. I refer to a couple of them in passing. I understand the survey was carried out earlier this year, although that is not clear from the documentation. The effectiveness indicator indicates where funds have been provided and whether those funds have contributed to a positive change in an organisation's performance. It is based on interviews with recipients of funds, advice or whatever. In 1995-96, some 57 per cent of recipients of advice or funds said that they had contributed to a positive change in their organisation's performance. In 1996-97, that figure was somewhat less at 44 per cent, who said that it had a positive effect on improving their organisation's performance and some 48 per cent said that it did not have an effect. Almost 24 per cent of recipients said that the advice or assistance provided had had a positive effect in increasing their turnover in 1996-97 and almost 68 per cent said it had had no effect. In 1996-97, 21 per cent of recipients of extensive advice or financial assistance said that the advice and assistance provided new employment opportunities and almost 75 per cent said that they did not. In relation to a commitment to invest or complete investments in Western Australia in the 1996-97 financial year, 18 per cent of recipients said that assistance led to their enhancing investment in Western Australia and almost 78 per cent said that it did not.

These figures have been broken down into individual effectiveness categories. One does not know whether a company which might not have been able to increase employment opportunities through the support it received may nevertheless have been able to increase its performance. Therefore, one does not know from these figures the degree to which such programs have been of some assistance to some companies in given areas and maybe not in every area of economic activity. The documents accompanying the survey indicate that it is a start in trying to monitor the degree to which there is a benefit in providing the types of programs referred to. The Public Accounts and Expenditure Review Committee was concerned to see whether one could possibly go beyond that when evaluating programs and look behind the survey result to try to get some economic analysis of the real effect of that financial assistance. Did it lead to that or was it some other factor that led to that result? I raise that because the Bill provides for monitoring to occur. However, the degree of that monitoring and whether that will reach down and try to analyse those issues is a matter for ministerial discretion. I would be pleased to hear the Minister for Commerce and Trade's views on whether it will achieve accountability to this Parliament, which is what the Public Accounts and Expenditure Review Committee was seeking. That is important in ensuring that the best possible use is being made of the available funds.

The thirty-first report of the Public Accounts and Expenditure Review Committee contains some specific recommendations which are not in the Bill and the Minister for Commerce and Trade may wish to address them in his response. Recommendation 1 of the report states that a detailed cost benefit analysis should be carried out before any decision is made to offer financial assistance to attract industry. The Bill contains no requirement for that to be done. Recommendation 2 states that the Government should not enter into second or competitive bidding to attract industry to the State. Again, there is no prohibition in the Bill in relation to that. Recommendation 4 states that the implementation of an industry policy should be a priority for the Government and be tabled by the Premier in the Parliament at the earliest opportunity. Given that the Bill is not about industry policy and sets up the framework around it I seek the Minister for Commerce and Trade's advice. Recommendation 7 deals with a significant part of the accountability proposal. Recommendation 7(a) states -

Financial assistance packages involving amounts of \$2million or more should be submitted to Parliament before approval can be granted by the Cabinet.

That is different from what is currently envisaged in the Minister's second reading speech. Recommendation 8 states -

The role and powers of the Department of Commerce and Trade and any other State Government agency should prohibit the use of equity investments as a form of financial assistance to industry.

Of course, the Bill leaves open the option of government holding shares, although I understand that is not the preferred option. Recommendation 12 states -

Prior to financial assistance being offered or granted, a method of evaluating the effectiveness of each financial assistance package should be built into the agreement with the proponent.

I understand to some extent that is contained in agreements being entered into. Again, it is not in the Bill and I would like the Minister for Commerce and Trade's opinion on whether it should be included in the Bill. Likewise, recommendation 13 provides that the net benefits of all assistance packages should be reported to Parliament annually. Also in recommendation 20 the view of the committee was that it should oversee these arrangements. I am no longer a member of the committee and I do not think the committee wants to attract a lot of work for itself; however, that was a view put by the committee in the interests of accountability. Recommendation 20 provides that the Public Accounts and Expenditure Review Committee should oversee financial assistance to industry.

Mr Cowan: It can do that now.

Mr BROWN: It could; however, the issue would be whether we would leave that to the discretion of the Public Accounts and Expenditure Review Committee, which means it must formally establish terms of reference and the work that goes with this, or whether some other arrangement should be established in legislation so a parliamentary committee is established for set purposes and that committee simply has a specific role. It is not a matter of whether a member of the committee wishes to do certain things or take the committee in other directions - there is a legislative framework for the operation of that committee. That might be worthy of consideration, and I would like to hear the views of the Minister for Commerce and Trade.

The Opposition supports this legislation and will deal with the detail of some matters in Committee. It may wish to move some amendments depending on the nature of the debate that takes place.

**MR THOMAS** (Cockburn) [8.26 pm]: I am pleased to have the opportunity to follow my colleague, the opposition spokesman on commerce and trade, and participate in the debate. As the Minister for Commerce and Trade's second reading speech indicated, this is a consolidation of existing legislation and the clarification of powers and matters that have been thought to exist in any event but perhaps not in as convenient a form as this Bill provides. For that reason, in the broad, I am pleased that the legislation has been brought in, subject to the comments of the member for Bassendean to support the Bill.

The essence of the Bill is found at clause 6, which sets out the functions of the Minister. The Bill sets out the powers vested in the Minister. It is useful to consider the functions of the Minister that are set out in clause 6 because they cover the gamut of activities for which this legislation creates the framework. However, as the member for Bassendean stated, it does not set out what those activities should be. It is not an industry policy; it sets out the framework in which an industry policy can be formulated and implemented. That is to be expected. It is unlikely there would be an industry policy in legislation, because that would need to be able to adapt and change and legislation is a bit more difficult to change.

One of the functions of the Minister set out in clause 6 is to encourage industry policy. We all agree that is a good thing, depending on the policy, but it is better to have one than not to have one. The Minister's function is to facilitate the provision of infrastructure, and to liaise with the Technology Industry Advisory Council, which is continued under this legislation; that is a good thing. The Minister's function is to establish and manage technology parks and offices and relationships overseas and to make provision for commercialisation of intellectual property. They are all very laudable activities which will form part of a comprehensive industry policy, and policy on science and technology in this State. With regard to science and technology at least to a large extent they already do. The direction of support for industry in this State must be qualitatively different in the decades to come from its direction in the past. Support for industry in its broadest sense in the past has been through a number of departments that have basically performed the function of providing some sort of government or public support for particular industries; for example, Agriculture Western Australia has provided support for agricultural industries and the Department of Minerals and Energy has provided support for the mining industry. In the past the industry policy - I stress I am using that term in its broadest sense - has been determined by the natural resources of the State. Western Australia has agricultural lands, an agricultural industry and, therefore, Agriculture Western Australia, previously the Department of Agriculture, has provided support for that industry for the best part of a century. Similarly with mining, forestry and so on, government departments and instrumentalities have been established to provide support for various forms of industry. In the postwar period the Department of Resources Development and the former Department of Industrial Development have promoted larger scale resource development projects. In each case the industries have been determined by the natural attributes of this State.

The development of industry in the years to come will not necessarily be based on mining or agriculture to the extent that it has been in the past. It will be based on information and on being clever. The sorts of industries that might be developed in this State, and indeed are being developed, in many cases could be located in many other parts of the world. I cite two examples: One is the shipbuilding industry at Henderson which appears to be a glamour industry in this State because overseas visitors are invariably taken to it. It is sorely in need of infrastructure if it is to expand, develop and be enhanced. That industry does not need to be located in Western Australia; it could be anywhere along the coastline of any of the continents. One of the firms at Henderson sells into Europe, and it is

probably a disadvantage for it to be based in Western Australia in terms of some cost inputs but it is located in this State because the people with the idea, initiative and enterprise to establish the industry were in this State. There were other attributes in Western Australia that were suitable for the development of that industry and so it is located in this State. As the representative for that area, I am pleased the industry is located there.

Another example with which the Minister for Commerce and Trade and I are familiar is Dynamic Technology Pty Ltd - an electronics company developed over the past 20 years by a couple of persons in this State. This company is based on the expertise of one individual who has developed electronics software associated with railways. The company is located in Osborne Park and it employs a substantial number of people. It is an export industry servicing railway systems in a number of locations in South-East Asia. If the person with the ideas and initiative to set up that company had been born or lived elsewhere, the company would have been established where he happened to be.

We need to understand that the future development of this State will be beyond agriculture and mining into manufacturing and service industries. Manufacturing for the most part will be knowledge based, in the sense of electronic manufacturing or ships, where input is not so much the material but the knowledge, cleverness, skills and intellectual property of the people in those industries. Legislation such as this, and a department reformed such as this, which is based on promoting not the natural attributes but the types of activities that could be located elsewhere, is very important for the future development of this State. Those functions of the Minister facilitating provision of infrastructure and the like are very important functions for the future wellbeing of this State.

The provision of infrastructure is an obvious one that is often spoken about in this place and it is topical in relation to the shipbuilding industry at Henderson. However, I would like to talk about liaising with the Western Australian Technology and Industry Advisory Council. For this State to develop in science, technology and other areas that will be able to provide industries based on technology and cleverness, it is very important that it have a science policy. One has been developed by the current Government and I am pleased to see that, but it is necessary for there to be close liaison between industry in this State and the universities and other educational institutions to ensure that this State has the work force that can provide the industries to which it aspires and service the needs of Australia and other parts of the world for sophisticated manufactured products and services. In my view, the Minister has the capacity to liaise with other organisations through his powers rather than his functions. A great deal of expertise is available in various government departments. The state level of government within the federation for the most part provides utility services, or these days regulates the provision of them by private companies. At this level of government there is expertise in energy, water supply, provision of transport infrastructure and so on. I would like to see greater cooperation between the government departments that provide those services - which in a number of cases are engaged in research or have other aspects of their operations related to the leading edge of technology in their field - and the universities which are almost invariably teaching relevant disciplines.

The classic example is the establishment of the Chemistry Centre (WA) adjacent to Curtin University. A government department, which serviced a number of other government areas, transferred there and acted in cooperation with the university. From memory, I think that a CSIRO division is involved. It is located at the university doing government work and other work. It is most important that students, undergraduates and postgraduates, have exposure to that practical work and, similarly, that government officials in those areas are able to work with and relate closely to people doing research in those areas. The areas where work could be done in cooperation with the universities are a significant part of the Department of Minerals and Energy, and Geological Survey of Western Australia. That area, and areas like that, could work very closely and possibly be collocated with a geology department at one of the universities. This is one area where the Government of this State has enormous expertise, being responsible for the administration of one-third of a continent, the largest mining province in the world.

One of the reasons that is a good idea is that one export industry that could possibly be developed in this State is the sale of services to South-East Asia and other areas. A number of government departments are working on and seeking support for various projects in other countries that will invariably be funded by the World Bank. Expertise in the running of land title systems and ports invariably resides in state government departments. Although it is no longer fashionable for State Governments to run these sorts of projects, they are involved and will continue to be involved, at least as regulators, for the foreseeable future. I understand from talking to some of these overseas people that they prefer to deal with government departments because of the cultures that exist in their countries and because in many cases the funding is provided by public authorities in any event. I am not suggesting that this should be done simply by the Government. If consortiums could be put together which involved both the private and public sectors, it would provide export income for the State and enhance employment opportunities for Western Australian graduates and public servants, and that would be desirable.

Another important matter is the management of commercial intellectual property, and commercialisation. It is often the case that when State Governments provide services, new ideas and innovations develop. There is no reason that State Governments should not provide for the commercialisation of those ideas and innovations and facilitate their

entry into potential markets. The cumbersome provisions of the State Trading Concerns Act that have inhibited the sale of intellectual property by government departments are inappropriate, and we should avail ourselves of any opportunities that arise.

The final matter, about which I am not as happy as the other matters about which I have spoken, is commercial confidentiality. This Bill essentially allows a person who provides information to a government department to state that the matter is commercially confidential, and any departmental officer, or the Minister, for that matter, who reveals that information commits an offence. That means that it will not be possible for a member of the Opposition to ask a question in this House about such information and have that question answered, because that will be a breach of the Act.

[Leave granted for member's time to be extended.]

Mr THOMAS: I am very disturbed about that. I understand that on occasions it will be necessary for companies to provide to government valuable information that they do not wish to have disclosed to their competitors, and I guess we all accept that that information should be protected, particularly when those people have no choice about whether to provide that information to government. Therefore, this legislation will obviously need to make some provision for the protection of confidential information.

However, when people receive assistance from government, the public, which is ultimately providing that money, should be able to satisfy itself about the propriety and prudence of that assistance. If people received assistance from the Minister or the department for a new project or industry that they wished to establish that was based on intellectual property, such as an invention, it would be inappropriate for members of this place to ask questions and have the details of that invention made available to them. However, if it were simply a normal commercial matter, the onus should be on the company that was receiving the assistance to provide that information unless it had good reason for not doing so.

When the Commission on Government considered the question of government in commerce, it contemplated for the most part the situation where the Government engaged in a trading enterprise such as AlintaGas, Western Power or the Water Corporation. It considered also the situation where the Government had commercial dealings with bodies and companies that were engaged in commerce. Within Australia, a culture of secrecy exists in the business community and also in government. There is a presumption that information should not be made available publicly unless there is a reason that it should be made available. I take the other view. Since the introduction of freedom of information legislation and the like, it has come to be regarded as an onus to provide information to the public unless there is good reason to the contrary. It is very difficult to write a clause in a Bill that will satisfy that criterion.

The Commission on Government stated in report No 3 at pages 63 to 65 that with regard to parliamentary questions and matters of commercial confidentiality, it considered the report of the Burt Commission on Accountability, and the report of the Royal Commission into Commercial Activities of Government and Other Matters, which also contemplated the question of commercial confidentiality and various competing considerations.

The Burt Commission on Accountability said that there should be no commercial confidentiality: If people receive assistance from government and the public pays for that assistance, the public should be able to have access to that information. The Commission on Government was more restrained than that. It was very critical of the Minister for Energy in this House, because he had cited commercial confidentiality as the reason that he could not disclose to the public, to me and to other members what price was being paid by Western Power for electricity that it was buying from a private provider. It cited him as an example of what government should not do. In that situation, a contract had been signed for 30 years, and there was no commercial reason that the public should not know the details of that contract. It was very critical of the Minister for Energy's answer in this House and said that Ministers should not be able to cite commercial confidentiality.

That was in the commission's second report. By the time it had reached its third report, it had elaborated on that and said essentially that there should be no inhibition in the provision of information on the basis of commercial confidentiality, and that if a Minister or the Auditor General received information that was claimed to be commercially confidential, that information should go to a parliamentary committee, comprising members of all the parties represented in this House. That committee could make a decision about the information being disclosed. It should not be a gift of the Government or even a power of the Government to decide whether a matter is commercially confidential. Obviously Governments can be influenced by their political considerations and their desire to keep information to themselves, which is what Governments tend to do. Hence they deny the people of Western Australia, those who make funds available to assist industry, access to information which people consider they should have access to.

The provisions relating to commercial confidentiality do not meet the criteria recommended in the third report of the

Commission on Government at pages 63 to 65 in regard to claims of commercial confidentiality as protection against revealing information under freedom of information or in answers to questions in Parliament. Although the Bill does not make proper provision in that area the legislation is good. It is an improvement on the legislation it will replace and for the most part we support it.

**MR GRILL** (Eyre) [8.52 pm]: I note my colleagues support the legislation, as do I. I have been told that the legislation aims to make a more effective, transparent and accountable set of procedures for the application of government money towards the promotion of industry, science, trade, technology and research. In that sense it is not surprising that the Opposition would support the legislation.

The Bill was reviewed by an independent steering committee, as pointed out by the Minister. It is clear that the committee did a very good job and thoroughly looked at the question over a long time. The legislation consolidates preceding legislation which has been in place for some time. Some of it has been decidedly antiquated. The Bill brings together legislation, modernises it and allows much more flexibility.

One of the interesting points about the legislation is that it accepts the view of the committee of review that a Government has a significant role to play in assisting and supporting industry. This is a move away from a strict free market philosophy. This country and this State have been under the spell of a free market philosophy for some time. However, it is interesting and healthy to see at both a national and state level we are now moving back towards the mainstream, and towards a situation where a Government is prepared to say outright that it is prepared to play a significant role in assisting and supporting industry.

We had our problems in this State with WA Inc, and some people think that assistance to industry went a little too far. I have some views on that matter and they do not always accord with those of the Minister. However, I have always been a healthy interventionist. If we had been successful in getting the Petrochemical Industries Co Ltd project off the ground - and I think we could have done so - I would be claiming the credit now. However, we did not. That is how the cookie crumbles sometimes. Nonetheless the vexed question for the Government is the extent to which a Government is to be involved in investing in infrastructure projects and research and development, financing industry and taking an equity position in industry.

The debate in the United States is a long way from where it is here. The debate in the United States is still on whether the Government should assist anything beyond pure research. In other words, there has been great reluctance at the federal level in the United States to invest in research and development. At a federal level they have been happy to invest in pure research, and they have ploughed a lot of money into universities and other institutions to do that. However, a long held view in the United States is that federal government money at least should not go into research and development. They have a very different economy from ours, and I will touch on that later. The United States also has some very big universities with huge endowments. The private sector and individuals have a culture of giving money to benevolent causes, which can include research and development and pure research. In that country some very big institutions have been set up to do just that.

They are a long way from us; we have a different economy. We do not have those big, rich institutions. By and large, we do not have extremely rich individuals in this country. We can contrast that with Japan. Recently the Minister went to Japan. He has been to Japan on a number of occasions and understands the way in which the Japanese economy works. Although it is a private sector economy the Japanese economy is highly interventionist, with a very strong bureaucracy with very strong links with the private sector. Japan has a revolving door policy in its critical government departments. It has long lines of communication from the critical government departments, not just its Ministry for International Trade and Industry but other departments, back into industry. We do not have that to the same degree in Australia; nor do a number of other countries. Perhaps we should be developing that sort of bureaucracy. It did develop to some degree under the previous Court Government. There was a revolving door policy relating to personnel in the equivalent to the current Department of Resources Development. I cannot remember the name of the department in those days but there was a revolving door policy and from time to time, depending on the Minister in charge of the economic departments, we could see that revolving door policy being put in place.

If we are to have other than a regulatory approach to industry - and the approach has been a traditional one in Australia - it is essential that we change the bureaucrats operating departments. We must bring into those departments people with expertise in industry; we must send bureaucrats out to industry and bring them back into the departments. There must be cross-fertilisation. If we are to intervene in an economy it must be done in an intelligent way. The only intelligent way to do it is to have experienced people. If we have a group of bureaucrats heading up a department that we hope to be innovative and entrepreneurial, at least in the sense that they help the entrepreneurs, we cannot have stick in the mud bureaucrats who are simply regulators with a regulatory mind fix.

Japan has its MITI. Some people would applaud and others would criticise MITI, but the Japanese economy has



done fairly well. We also can cite an economy such as Singapore's where once again there are huge amounts of intervention by the Government. There is a huge amount of government support and government ownership - much more than one would find in Japan. A long time ago, at the time of the inception of the city-state, the Government put in place a form of superannuation payment which allowed for large chunks of investment, which means private funds in public hands going into public institutions.

Of course, Singapore's investment arm, Temasek, is now planning investments not only in Singapore, but also around the world. It is a government holding company which has huge holdings. It encourages industry; it is industry itself. It is a different model. We do not have a great tradition in research and development in the private sector in Australia - we have some, but not a lot. The tradition has been that government invests in research and development, especially at the pure end of research. We have funded our universities. The University of Western Australia is one of the few universities which started off with a large private endowment, and other universities in this State are very much the product of federal government spending.

We have a tradition whereby much government money has been directed into research. A fair amount of that money has been directed to the Commonwealth Scientific and Industrial Research Organisation and Agriculture Western Australia, which until recently was, and I suspect still is, the premier research institution in this State. The research capability within Agriculture Western Australia is something which we should not only be proud of, but also foster and protect. I am concerned to see that research in the department has been wound down. Along with the winding down of the department's research capability, people with a history of research have been allowed to go from that department into the private sector. It is unfortunate.

We have had magnificent agriculture research through people like John Gladstone. He is just one example of people who have been particularly innovative. His research in a number of areas has stood Western Australian agriculture in good stead. You would know many of these researchers, Mr Deputy Speaker, and that research has gone overseas to some of the leading dry and broad acre farmers in the world.

This State's tradition is to invest public moneys in research. We do not have the big companies and corporations which are able and prepared - we do not have the culture for these practices even if we had the large companies - to funnel money into research. A little contradiction has arisen recently as Rio Tinto is experimenting with direct reduction steel making. It has made a fair investment into that research pursuant to agreements it has with the Government in mining iron ore in the Pilbara. The company has made commitments in lieu of actual steel making, and the money directed into the research in Kwinana has skewed the traditional mix and match in research funding in this State.

Australia does not have the big research institutions with the big corporate donors or the culture for private and corporate donors to put money into research and development. Certainly, we have not seen a lot of venture capital companies set up in Western Australia and Australia with the help of the big corporations, as occurs in the USA. We have not seen many high technology capital venture companies set up on our stock market. I tried to foster a few of these companies when I was the responsible Minister, but we have not had many.

Mr Marlborough: Sarich.

Mr GRILL: Indeed. Sarich was not an orbital engine concern when the previous Government financed it as it was two stroke technology. In the days of WA Inc, Sarich was a major beneficiary receiving \$30m. By and large, it has been a successful venture as it is one of the few companies in Western Australia to be exporting intellectual property. That company has not had the breakthroughs it would have liked, but it is still doing fairly well.

We do not have the culture here to foster such companies or for the big institutions to put money into such research companies. By and large, the Government, both federal and state, must pick up the running on that issue, and that is how research has operated in Australia for a long time. Interestingly, international statistics indicate that the list of countries with the highest gross domestic product per capita in the world almost equates with the list of countries which have the highest levels of joint investment in research and development. I say "joint" because most of these countries have a joint approach in funding of research and development as it comes equally from the Government and the private sector. It represents a different culture from Australia's.

Australia has before it the challenge of fostering private investment into research and development and new forms of endeavours and enterprises. We are a very inventive people. Per head of population, if my memory serves me correctly, we are as good as any country in the world in terms of invention: We register as many patents per head of population as the most inventive countries. Nevertheless, we do not follow up with capital investment to ensure that the inventions are developed to become export earners.

It is interesting also to note that the steering committee recommended, and the Government accepted, that the new agency to handle the funds contemplated by this Bill will have the ability to invest in projects; in other words, to be

involved in direct investment. That is a turn up for this Government as it was highly critical a few years ago of any government investment in private projects. It is interesting that the Government has now accepted a more realistic approach to that problem.

Also, the Government has accepted the recommendations of the review committee that the investment arm to be set up under this Bill will have the ability to acquire and to hold land. I congratulate the Government on this departure from the posture adopted a few years ago.

The underlying theme of the legislation is not only transparency and accountability in funding, but also flexibility. The Minister for Commerce and Trade will know that almost every company which comes before him for assistance has its own problems and that help needs to be tailored to suit each company. In the past, companies were hamstrung by the antiquated legislation under which we worked. The State Government seems to be adopting an enlightened approach to the fostering and promotion of private industry, science and trade in this State.

[Leave granted for the member's time to be extended.]

Mr GRILL: We can contrast that with the approach of the Howard Government. The Howard Government still appears to be very much enmeshed with the Thatcherite view that Governments exist to manage and private industry exists to make investment decisions, and never the twain shall meet. In the last Budget the Federal Government cut back direct public funding to this arena, particularly in research and development. It also has removed significant taxation incentives for the private sector to become involved in research and development. That is a backward step because the real challenge to us as legislators is to ensure that the private sector funding of research and development and things of that nature matches the public sector funding effort. To remove those taxation incentives is to take a step backwards. That does not mean there has not been some degree of sorting of these projects in the past - I am sure there has been. However, just because projects have been sorted to some degree does not mean they should suddenly be withdrawn. That seems to be the view of federal Treasury and the federal Treasurer. That is a backwards approach.

There appears to be some ray of light with even the Federal Government. The Mortimer report "Going for Growth" is being considered by the Federal Government. Prior to that, the Gallagher report was brought down. Both reports advocate a much more interventionist approach. It will be interesting to see who wins this argument in Canberra; whether it is won by the people in industry and trade or by Treasury officials. Treasury officials congenitally seem to favour a strict and dry free market approach. Ultimately pragmatism will win out and the Federal Government will realise that it will not be able to create jobs in Australia without making a proper research and development effort and putting money into infrastructure and other areas in which it has been bereft in recent years. We will see some diminution of the influence of the Treasury in this important arena.

I mention infrastructure because generally Governments accept that they must play a role in developing infrastructure for industry. However, two questions arise: Which infrastructure must they develop, and how is infrastructure to be defined? Is infrastructure just roads and bridges, and perhaps ports, or does it go as far as the State Government currently wants to go with the development of a whole new industry estate of grand dimension at Oakajee, north of Geraldton? Does it go so far as to be investment in certain companies directly? The flexibility provided under this legislation will allow Governments on the appropriate occasion to adopt a flexible approach with their definition of infrastructure and of the sorts of projects in which they want to invest. I have not read the legislation as carefully as I might have. I presume the Bill contains transition provisions between the old Acts and the new legislation that will consolidate them.

Mr Cowan: Yes. Schedule 2 refers to transitional provisions.

Mr GRILL: Something I would like to see - I do not know why I did not do it myself when I was the Minister - is a list of companies that are receiving help at present.

Mr Cowan: We have been doing it for the past two years.

Mr GRILL: Can the Minister for Commerce and Trade send us a list?

Mr Cowan: It has been tabled and is available to you.

Mr GRILL: I congratulate the Minister.

Mr Cowan: There will be one in about two weeks.

Mr GRILL: The Minister in his second reading speech is complimentary of technology parks and singles out the Bentley Technology Park. Seventy companies operate in that park and 1 400 people work on that campus, producing \$170m worth of services and hard product. I pay tribute to the person who was the progenitor of technology parks.

They came under my jurisdiction for a while, but my predecessor, Malcolm Bryce, who was then Deputy Premier in the Burke Government, got that technology park off the ground and laid the basis for the setting up of other technology parks - not that Western Australia has many other technology parks. It was his vision and drive that saw these parks, particularly the Bentley Technology Park, put in place. He deserves credit for that.

**MR GRAHAM** (Pilbara) [9.15 pm]: Had one not been in this Parliament for a number of years, one would have a quick look at this Bill and say it was reasonable legislation. However, to someone who has been in politics in Western Australia for as long as the Minister for Commerce and Trade has been around and who has heard some of the speeches I heard him make when I first came into this place, it is extraordinary legislation. Some members will remember the extraordinary tirade from members of the then Opposition at the State Government for not taking an equity in the Kings Park restaurant. That was after the royal commission into so-called WA Inc matters. However, legislation five years down the track will allow the Minister enormous powers in investing taxpayers' money, with few checks and balances, despite the rhetoric of the second reading speech. This legislation will allow the Minister to make direct investments in companies for purposes he or she sees fit. It is extraordinary legislation in that regard.

It is not necessarily bad legislation. Most of the rhetoric in the second reading stage has been about whether it is the role of government to provide direct financial assistance to industry. It is not a particularly new debate. It has been around for a couple of hundred years and it has been particularly active in Australia since just before Federation. It was one of the key arguments that was raised by people against the concept of federation; that is, the free traders versus the protectionists, within both the independent States and the new Federation, and what attitude we as a nation should take towards other countries. At various stages in our history we have played any and all of the possible roles, from being an extraordinarily protected community through to becoming a remarkably free trading nation. We have put our stamp on current international treaties, obligations and negotiations and on freeing up world markets and trades.

Once one heads down that road of free trade and competition, it is difficult to retreat from it. One gets into the arguments of whether providing assistance or protecting industries provides more benefit than it costs. That is the nub of the argument that has been around for a couple of hundred years.

I hold strongly a couple of views. I can see very little benefit and advantage to Western Australia in the Government using taxpayers' funds to assist individual companies. In my view the Government is better off not providing assistance to individual companies. It is a simple argument: If we have two iron ore companies - there are a few in my electorate - and money is given to one, it is at the expense of the other. If the good offices of government are used to aid and abet one company, it is at the expense of another, which will be either a Western Australian or an Australian company. Very little benefit will come to the State and the nation as a whole if that sort of assistance is given to individual companies. Quite frankly, who cares whether Ansett Australia or Qantas Airways Ltd gets the maximum amount of dollars? Why should the Government protect Ansett or Qantas? Both are Australian companies. They should be let to get on with their business. They do not need assistance from anyone. They should get out there in the marketplace and compete for business. They should not be allowed to get their hands into the taxpayers' till.

Another part of this debate is whether industry should be assisted. I fall in with the view espoused by previous speakers about flat earthers and Thatcherites. Generally I believe that when people go into business, the Government should get out of the way, provide minimum or legitimate regulation and let them get on with it. Hopefully they will be very successful and make a good quid, and others will compete in the industry and that will produce better quality products at the best price for those who purchase them.

For 25 years that is the environment and climate in which I have lived in the north west of this State, where most people work in private enterprise. We have private power stations and private roads. We have worked for private companies which have built the hospitals and put in the water supply and the electricity. It is not a big drama to start talking about those companies doing that. The question is whether they should, or should not, be required to do that. That is where it gets extremely interesting.

Let us look at the Pilbara region. At the time of its development the mining companies were required to put in place nearly all the infrastructure for the region. Traditionally Governments have been very poor in providing infrastructure to the Pilbara region and the northern regions of the State generally. That criticism is not levelled at the current Government in particular, but at all Governments over the 150 years of this State's history. It was only with the development of the iron ore industry, and later the gas industry, that real life infrastructure, as I like to call it, commenced. We started to get bitumen roads, some quality education facilities and recreational facilities, which came with the development of those industries. It is not unusual in a developing region anywhere in the world for the first industries being established to provide those facilities.

The payoff is that any industry can do it and generally it gets a concession from the taxation system of the country

it is in. That encourages the company to go ahead with the development or, at least, reduces the disadvantage to that company in being required to provide that infrastructure. In the case of the iron ore industry, a level of royalty was struck. Each time infrastructure was put in place, the royalty rate was lowered. Whether that was fair and equitable, who knows? However, it was a negotiated outcome. The question is where we go to from here.

A large amount of the second reading speech made by the Minister for Commerce and Trade focused on the provision of infrastructure, how it should be done and how this legislation allows for it. It is coincidental that just last weekend a conference was held in Newman at which people talked about that sort of infrastructure development in the Pilbara. I have said that generally I do not endorse the assistance being given to individual companies. I cannot imagine the circumstances under which taxpayers' money would be given to an individual company. I can countenance circumstances where taxpayers' money would be used to assist an industry.

Various speakers have referred to the thirty-first report of the Public Accounts and Expenditure Review Committee which was tabled last year. I am a member of this committee. Members should refer to the report because it is a comprehensive document which was two years in the breech and it poses some interesting questions for Western Australia. The thrust of that report is that the Government should not provide assistance to industry. It should set about creating the right economic environment and reducing government interference in business and it should provide assistance to industry only where that assistance is contained in a comprehensive industry policy for the State.

It then went on to say some things about how to assess in an industry policy what is being done and how to get the assistance back if it is not done right. An integral part of all this is that before any Government gives a commitment to an industry to provide taxpayers' money to it, the Government should look at why it is being done. It should be able to state quite clearly why taxpayers' money is being given to that industry, and if there is to be a benefit to the State, it must be measurable. If Governments go through that process and do not get the benefit, they should not give that sort of assistance again. It is quite simple: The Government should not give assistance in the first place unless it can demonstrate there would be a benefit and, if it does not work, the Government should not do it again.

Leaving aside partisan political differences, we have a history in this State of pouring money into things because they seem like a good idea. We still do that. Last year the Public Accounts and Expenditure Review Committee found that a lot of money was going into assistance to industry, but that the State had no industry policy. It still does not have one. This legislation does not require the Government to have such a policy. It takes a step and it says that one of the functions of the Minister is to encourage the development of industry policy for the benefit of the State. That choice of words is quite interesting. It does not say that it should encourage the development of an industry policy for industry, or for participant companies in an industry, or for the benefit of the department that the Minister will administer; it is for the benefit of the State. If we take that line and go along with the report of the public accounts committee, it must be a definable benefit to the State. Otherwise there is no point in doing it.

It is of some concern to me that the State does not have an industry policy. Even though there is some rhetoric about the development of an industry policy, we do not see coming from this Government the actions that are necessary for there to be an industry policy. I am not the only one who is pointing this out, and neither is the public accounts committee, which found there is no such policy. The Chamber of Minerals and Energy of Western Australia has said that there is no industry policy in this State and one should be developed. The Chamber of Commerce and Industry of Western Australia is saying similar things; it has been quite vehement and has run quite a public campaign about the development of such an industry policy in Western Australia. It is of some interest to me that a Government seems to pride itself on being a private enterprise Government that is keen to see industry develop in Western Australia, but it has no policy to allow for development, or to encourage it.

At page 9 of the Bill is the commencement of part 3, headed "Financial Support". Clause 9 outlines how the Government may provide financial support under a number of points such as grants, loans, subsidies and guarantees. Firstly, does this Act apply to the Department of Resources Development and government trading enterprises which, in the agreement Act processes, are the major players in providing assistance to individual companies and industries?

Secondly, in clause 9 no mention seems to be made of the forgoing of revenue. One of the major attractions of the packages that get put together, particularly to attract an operation such as Coflexip Stena Offshore Asia Pacific Pty Ltd to relocate to the State, is its exclusion for a period from state taxes and charges such as stamp duty.

Mr Cowan: Try paragraph (f).

Mr GRAHAM: Does that include concessions on royalties?

Mr Cowan: It does not. If you want to say that, royalty is not a tax or a charge.

Mr GRAHAM: The High Court might say that; it would be an interesting argument.

Mr Thomas: It might even say it is an excise!

Mr Cowan: It is under paragraph (g). I will deal with it later.

Mr GRAHAM: I want to be quite clear that we are talking about revenue forgone or revenue that will not be achieved by the State because of some sort of exemption - there are many of them. When that revenue is forgone someone else must pay.

Mr Cowan: Generally it means someone else does not get paid.

Mr GRAHAM: That is fair comment - or something does not get built that possibly should be.

An infrastructure conference is being held in Newman. I take infrastructure to mean industrial or public facilities whether they be power stations, water supplies, sewerage farms, schools, roads, ports, airports or communication facilities. They cost a lot of money.

It is not a matter of whether we need a bridge or roads here or there, but how we pay for them. It is simple to sit down and do the infrastructure planning exercises and the population and industrial projections for an area. We have all been involved in them in various places. The difficult part is finding that, for what was a two year planning exercise for a region, the cost runs into hundreds of millions of dollars. For a region it sounds like a lot of money. However, on a national and international scale it is not a lot of money.

A very good report was issued by the Western Australian Technology and Industry Advisory Council about financing options for regional infrastructure in Western Australia that addressed those concerns. The State must address funding for infrastructure in a real sense - I am not talking about the public versus private debate on infrastructure; I am talking about how a package could be funded.

[Leave granted for the member's time to be extended.]

Mr GRAHAM: Until we deal with that the other debate is largely academic. We could argue forever about what we need, but it will not eventuate until the dollars are in place. That report indicates that large investment houses are starting to invest in infrastructure development because they can see a long term return.

Mr Cowan: Can you give me examples?

Mr GRAHAM: AMP, Jelco Pty Ltd, Macquarie Bank Ltd, AIDC Ltd. According to the report in November 1996 they had \$2.5b available for infrastructure development. The report makes the point that as at November 1996 almost no investment of those funds had been made in Western Australia. It explains that that is so because the decision makers who allocate the money within those funds are based in the eastern States or internationally. It seems from this report that we are not very good at, firstly, getting to them, secondly, convincing them of the need for the investment and, thirdly, securing a return for them. I suspect that the latter is the most important to those people and the reason that they are in the funds.

They also make the point that their general investment level in a reasonable size project is \$10m to \$20m. If we were looking for someone to underwrite or directly fund a sewerage plant in a country town the amount required would not get anywhere near that; we would be looking at \$750 000 to \$1.5m for a sewerage plant. Those investors say they will invest in lots of \$10m or \$20m. This report says that processes are available whereby a series of infrastructure developments could be bundled together to meet the financiers' requirements of \$10m to \$20m lots. We could choose up to 10 areas throughout the State that need sewerage farms which would cost \$10m to \$15m. With the right kind of surety the eastern states banks would underwrite and invest in them.

The other point the report makes is that companies such as Price Waterhouse Urwick are suggesting that approximately \$150b in superannuation funds should be used as investment in infrastructure as a real way to develop their futures. That being the case, for \$150b we could solve most, if not all, of Western Australia's infrastructure needs for the next century. It is a matter of getting something together.

I am not an arch cynic. I think the Minister for Commerce and Trade will know that I was not a big fan of the Department of Commerce and Trade. I do not think the State would have been severely disadvantaged if it had been shut down. However, with the new arrangements envisaged under this Bill and with the emphasis the Minister put on it in his second reading speech and the emphasis he says the Government is putting into the development of infrastructure, we will be able to tap into some of those financial markets. If that happens, the required amount of government support or guarantee follows. In fact, when the Treasury Department gave evidence to the Public Accounts and Expenditure Review Committee, its representatives said that one of the cheapest ways for any Government to provide surety was to give a Government guarantee, because if one does all one's homework and gets it right and one has all the right reporting mechanisms, it costs one nothing more than a book entry. If the Government does all those things, hopefully we will witness serious infrastructure development in this State.

**DR TURNBULL** (Collie) [9.41 pm]: The debate has been wide ranging and interesting, and I am sure that when the Minister for Commerce and Trade speaks, he will add to that interest. The Bill is important because it provides a more effective and accountable framework within which the Government can encourage, promote, facilitate and assist the development of industry, trade, science, technology and research activities in this State. The Bill also provides for the continuation of the Western Australian Technology and Industry Advisory Council and replaces three Acts. Very importantly, the Bill will free up the system and will make it more flexible, while at the same time incorporating a greater degree of accountability in the new department.

The five objects of the Bill are to promote the growth of development, industry, trade, science, technology and research in this State; improve the efficiency of industry; encourage the establishment of new industry; encourage the broadening of the industrial base of Western Australia; and promote a very supportive environment for industry development.

I have been privileged to be involved in the development of science, technology and industry policies in Western Australia. The first place I became involved in that was while I was a member of the Select Committee on Science and Technology. Select committee membership is an important role for any member because it allows members from all parties within the Parliament to get together and study a subject in detail and to come up with recommendations for the Parliament to consider. Many of the initiatives of this Bill were recommended by the Select Committee on Science and Technology in its report in 1994. A detailed review has also been conducted. So this Bill has been thoroughly researched.

The select committee came to the conclusion that industry must have a very sound base in science and technology, which then moves on to research and development and then on to the establishment of the industry. I will focus on research and development and science and technology, rather than the establishment of the industry.

The select committee also came to the conclusion that one of the most important aspects of development of technology is the need for a critical mass of people to be involved in the whole process. All members of the committee clearly understood that people are the most important element of science and technology. The scientists and entrepreneurs and innovators are the most important part of any industry development. Roads, buildings, transport, and other infrastructure are important. However, fostering people's initiative is more important.

It is often difficult to get the best qualified people to come to a State like Western Australia, given that only about 1.8 million people live here. That is why I congratulate the Minister for Commerce and Trade on the work he has done to attract the CSIRO division of petroleum to move to Western Australia from Victoria. The select committee was also partly involved in the negotiations on the periphery and in helping to set the scene and agenda to try to convince that CSIRO division to relocate to Western Australia. Once we have people working together, they develop their own critical mass and they attract other people. Therefore, the subject to which the member for Pilbara referred, which is how to get eastern states investment companies to Western Australia, is a long and slow process. One of the first steps in that long process is to show that we have credibility in the research and development area and that our proposals and initiatives have a sound foundation, will be successful and will generate good financial returns.

Science and technology parks are also important because they attract that much needed critical mass. As has already been mentioned tonight, Bentley Technology Park is a good example of successfully bringing those necessary people together. The development of an environment of excellence and supportiveness in one place can lead to a lot of very good research and development of technology and then to the development of new industry.

I turn to a specific example of interest to me in my special interest field of health. The select committee recommended that a technology park be developed at the Queen Elizabeth II Medical Centre in Nedlands. It would be an excellent site for a medical technology park. It has large precincts and already has two very outstanding medical facilities; namely, QEII and Hollywood Private Hospital. It now has a private hospital along with the Lions Eye Institute. These people are developing a critical mass, along with the university Department of Medicine and the very active QEII medical research group.

The medical research group, led by Dr Bruce Robinson, is working on the creation of a medical foundation for the whole of Western Australia. That would not cut across the foundations that we have already such as the TVW Telethon Institute for Child Health Research led by Professor Fiona Stanley. We also have the excellent Women and Infants Research Foundation based at King Edward Hospital. However, we must get together the critical mass of other scientists involved in medical research in Western Australia. The best way to do that is not to create more buildings but to work in a collaborative fashion with the scientists at the QEII campus, the Royal Perth Hospital campus and the Fremantle Hospital campus. We should encourage them to agree to involve themselves in a cooperative effort in establishing the Western Australian medical research centre. It could be based at the technology park headquarters at QEII but have campuses at the other hospitals.

I reiterate that, in terms of the science and technology policy, the most important issues are the people involved and how we get them to Western Australia. One very good way to achieve this objective is to establish a cooperative research centre. The federal cooperative research centre program will not be expanded any further. Although the Federal Government has not continued to allocate priority funding to the program, it has shown its worth. Following the success of the cooperative research centres many industries are now prepared to collaborate with higher education facilities such as universities and to combine their efforts. One such example in Western Australia is the centre for the study of Mediterranean legumes.

A new and very important collaborative activity could take place in Western Australia; that is, a centre for the development of high water use perennials. Western Australia has extreme salinity problems and restoration proposals involve using trees as year-round water pumps to reduce water levels and therefore stem the rise of salinity. Many crops of economic value can be used instead of trees or in conjunction with trees -

Mr McGowan: Like what?

Dr TURNBULL: Lucernes are the most important, and there are others such as tagasaste and perennial grass. Other grasses are being suggested. The test sites would not need to be at a university or a specially selected site - they could be on farms and in the towns of country Western Australia. This could be a very important way of extending our science.

Scientists at the Department of Conservation and Land Management have done very good work with blue gums and have developed a special tree, the "western blue", that is very appropriate to Western Australian conditions. Again, as we concentrate on salinity restoration we could look at other high water use perennials.

Infrastructure does not necessarily need to be roads and ports. That can be so for industry development, but in the early stages we do not necessarily need to spend a lot of the State's money on those things. Of course, I am talking relatively in terms of the Budget - \$14m to help attract the CSIRO will be a fantastic investment for Western Australia.

I refer again to industry and technology parks. They do not need to be based in Perth. The Kemerton industrial park is an important industrial centre, although it does not undertake much research activity. My vision for Collie is an industry technology park researching anything connected with power generation or alternative methods of power generation. Many ideas require extensive research at the moment. They will need development in time and will then move on to the manufacturing phase. Examples are ceramic cells, bromide batteries and hydrogen cells. Why should the development and manufacture of such items not be at the centre of power generation in Western Australia? This is a new vision of how we can expand and not concentrate all the infrastructure in the metropolitan area.

This new Industry and Technology Development Bill is very flexible, and it has been drafted in this way to express that flexibility. Today's policies and those coming from the department will change. The implementation of those policies will focus on different areas as time progresses. We need very flexible legislation with a high degree of accountability.

I strongly support the Technology and Industry Advisory Council. I have seen and been involved with the work of the council. It has been very effective in Western Australia in facilitating developments, increasing awareness of the importance of research and development to Western Australia and gathering people together so that they have a common vision of where we are going and share their skills and knowledge. The council has a very important role to play. It can help to implement, expand and develop government policy. I am very pleased to support the Bill and I look forward to further debate on it.

**MR COWAN** (Merredin - Minister for Commerce and Trade) [10.00 pm]: I thank all those members who have spoken to this Bill for their support of it. It seems that the House generally supports the principles contained in the legislation. I appreciate that. It is possibly a reflection of the amount of time and effort that has gone into the preparation of this legislation. As most members will be aware, the initial review of the legislation was reported to me in December 1994. Since that time we have gradually been working our way through the preparation of legislation to upgrade the Act under which the Department of Commerce and Trade operates and through which we provide assistance to industry.

Members are quite right; this is not an industry policy. When it is enacted, the Bill will enable the Government of the day to provide industry with support in a number of different ways. Again members are quite right when they say its approach is deliberately very broad and does not contain too many specifics. That approach is deliberate and based on the recommendations contained in the Price Waterhouse Urwick report. However, it is important that I indicate to members that although the Bill is not about industry policy, for members to claim that the Government does not have an industry policy is nonsense. It is fair to say, and I acknowledge the point, that we do not have one written document, as we have with science and technology policy, for example, but the Government certainly has a

range of policies for industry assistance. We have been working through a Cabinet committee to bring all those aspects together under the umbrella of those government departments that are responsible for providing assistance to industry.

Mr Thomas: It has been almost five years. You do not have a clear policy on industrial sites, land and development.

Mr COWAN: I disagree with the member.

Mr Thomas: Where is it?

Mr COWAN: A policy of allocation of responsibility on those sites is spread, I must admit, among four Ministers. That causes some degree of difficulty, but nothing insurmountable. The policy exists. I would like to see the consolidation of a whole range of aspects into one industrial policy. As I have said, to say that there is no industry policy is nonsensical.

Mr Thomas: Are you saying there is a policy on land or sites for industrial development? We have asked the question a number of times.

Mr COWAN: I am not saying that we have earmarked sites for industrial development, but we certainly have policies on the expansion of Kemerton, the establishment of the buffer zone for the development of Meenaar and the need to make sure there is a further take up of land at places like Coogee. Those policies exist. For those who are lamenting the fact that there is no specific document on industry policy, I remind members opposite that there was only one policy when we came into office, which was to deliver financial assistance to specific industries. There was no other policy. It was a matter of the industries lining up at the door and seeing how much the Government could give them. No set of guidelines provided security for the loaned money. As a consequence we saw the previous Government endure quite considerable losses from financial assistance to industry. Since that time we have broadened the available range of options for industry. We have retained open access assistance programs, which are usually very small and available for such things as quality assurance, further customised training for different employees within companies and export assistance. Under our export enhancement program, if people are exhibiting overseas at a recognised exhibition, they can claim 50 per cent of the cost of the lease of exhibition space and 30 per cent of their return air fare. That is an incentive for people to expand their markets into other countries. Provided people are from a reputable company and attending a recognised exhibition and can demonstrate that they are spending money on fares and that no-one else is paying them, they will be reimbursed for the relevant amounts. That range of options is available for generally small to medium enterprises.

Most members are aware of our specific assistance to industry. Coflexip Stena Offshore Pty Ltd has been mentioned, as has Dunlop Skega, Albany Spinning Mills and the aluminium ship builders. Two of the shipbuilding companies have received assistance. It usually involves quite significant amounts of money ranging, if my memory serves me correctly, from \$1m to just over \$5m for Coflexip Stena. That assistance is set according to quite specific guidelines. The difference between what occurs now and what occurred previously is that the loans are made on the basis that certain criteria or milestones must be met in investment, employment, exports or production. If those milestones are not achieved by companies, the loans do not convert into grants. In that way we have given ourselves some opportunity to eliminate the level of risk. We also seek whenever we can to have some security for whatever assistance is made available. Should a company decide not to proceed, we can recover or seek to recover the funds expended by the Government.

There are two other aspects to our industrial policy: The first is the contribution we make to research and development. We have now a program which invests some \$4m annually in giving support to research and development in science and technology. We believe that is one way in which we can support industry. I do not want to hand out too many accolades but I acknowledge that CSIRO's establishing its new petroleum and minerals research institute in Western Australia was as a result of a combined effort. A number of things pointed to the fact that we should support the move. I include in this the member for Cockburn's Select Committee on Science and Technology. In addition, we had great support from the CSIRO and the universities. The only area where I was disappointed was the Federal Government. Notwithstanding the fact that the CSIRO is a government entity, the Federal Government refused to contribute to that project. I am disappointed not only because the CSIRO is a federal organisation but also because the Federal Government receives significant off-shore resources rent tax from Western Australian resource development companies. We thought it would have been appropriate for the Commonwealth Government to recognise that and to make a contribution to the research capability in this State in the area of offshore oil and gas. Unfortunately, that was not the case. Although we were disappointed we have still reached agreement with the CSIRO to establish that research institute in Western Australia. The combination of those individual projects plus the \$4m that is contributed annually to various centres of excellence throughout Western Australia constitutes another arm of support to industry.



The third arm that the Government has focused its attention upon is infrastructure development. That is an area where we could spend considerable sums of money in this State. It has been estimated by a number of policy groups within government that we could spend \$3b over the next two to three years on infrastructure and still there would be a demand for more. Nevertheless, the Government has identified areas where it can target expenditure on infrastructure.

The member for Bassendean and the member for Cockburn mentioned the Jervoise Bay aluminium shipbuilding industry. The Government made a decision to complete infrastructure development for the aluminium shipbuilders. That infrastructure is in two parts: Firstly, to provide protective waters for the ship builders the Government has spent considerable sums of money on breakwaters. The northern breakwater, which is just about to be completed, cost \$7.6m. Secondly, the Government has facilitated the relocation of the shipbuilders onto the foreshore. Where they already had infrastructure in place in that precinct, they were given assistance to enable them to relocate onto the foreshore without additional operating costs associated with the capital costs that would be required for the building of new assembly halls on the foreshore. Austal Ships received assistance to the tune of \$1.2m, as did Ocean Fast's successor. Both of those companies are meeting their obligations with respect to capital expenditure on those foreshore lots. I do not think anyone has any doubt that was the right thing to do, notwithstanding the fact, as someone else has mentioned, that industry in Western Australia must focus its attention on being innovative and highly intelligent industries. The shipbuilding industry is one of those industries, where its competitors could learn to weld aluminium as skilfully as our aluminium welders and they could copy our hull designs. However, the one thing they cannot do is match the innovation in that aluminium shipbuilding industry. Most of those shipbuilders have never accepted that they can continue to plod along. They are now applying vigorously to the lightweight ship industry a lot of aircraft technology that has been around for some time in that industry.

In addition, although the concentration has been on ferries and they are building ferries up to 100 metres in length, which is a large vessel, they are also looking closely at the prospect of entering the lightweight fast freight service for certain areas of traffic that they believe could become a regular fast freighter service. Although they have not secured any orders as yet I am sure we will see some designs that will ultimately secure a contract for one or two of those companies.

Members also commented on the recommendations contained in the thirty-first report of the Public Accounts and Expenditure Review Committee. It is appropriate for me to comment on the recommendations that the member for Bassendean drew to my attention. I issued an interim response to the PAERC report some time ago, and the Government will issue its final response before the Parliament rises this year. That has taken the Government some time to coordinate across a number of government agencies. I do not think there will be a great deal of variation from the interim report; however, the Government takes seriously the report of the PAERC and it wants to ensure that members of that committee understand precisely what we have done to address some of the recommendations they have made.

With respect to recommendation 1, detailed cost benefit analyses are conducted of any application for financial assistance and those assessments are tabled in the Parliament should the approved application for funds exceed \$200 000. Recommendation 2 concerns the issue of competitive bidding. I am sure that the PAERC picked that up when there was considerable discussion about the antics of American Express International Inc which wanted to establish a call centre in Australia. Effectively American Express approached four State Governments asking them to submit an application to American Express for it to consider coming to their State. We did not enter into a bidding war, notwithstanding what was said in the Press. We identified some surplus office space that belonged to the Government. We indicated to American Express that we were prepared to refurbish that government property to its specifications and if it wanted to come here using that building it could. We also offered some incentive. Usually, although this is not always the case, that incentive is in the form of concessions or rebates which are spread over a five or eight year period and is precisely what the Government would receive in the form of payroll tax, stamp duty or other transfer duties that might be paid over a five year period. If the company hit its target employment numbers, and let us say that it would accumulate \$1.5m worth of payroll tax over that period and there was stamp duty on the transfer of land that amounted to another \$200 000, that would be roughly the amount of assistance that would be provided to that company in a cash form. We were not entering into a bidding war and we would not.

We have made our position clear to a number of companies, and that has stood to our advantage. For example, we have attracted Dunlop Skega to establish its belt manufacturing plant in Western Australia. The simple reason is that this is where its market is. It was to Dunlop's advantage to relocate. Some people would immediately argue that if it was to its advantage, why offer any assistance at all? The answer is that perhaps Dunlop might not have come; it could have met the additional freight costs and continued to manufacture in Victoria. We were able to attract Dunlop to Western Australia.

The fourth recommendation is about industry policy. Once again, I acknowledge that it would be convenient to have

a single document industry policy. We are working on that. At some stage I am quite sure the recommendation will be accomplished; however, at this stage we have a little way to go, although many different policies are in place and are quite clearly enunciated and readily available to the client base. If people want to know about assistance for regional development, a policy covers that. If they want to know about assistance for centres of excellence, another policy covers that. All those policies are not contained in the one document, and I readily acknowledge that. It is appropriate for that to happen and we are working towards doing that.

The seventh recommendation caused quite a lot of discussion between Ministers who were involved in this Bill and with the departments. It refers to reporting to Parliament. Since I have been the Minister responsible for this area, a process has been instituted whereby information setting out assistance of under \$200 000 that has been provided to businesses in Western Australia is tabled annually. One package of assistance has just been sent to me which merely requires my approval before it is tabled. We will certainly continue to provide that information. For assistance in excess of \$200 000, we table that information immediately there is agreement between the company and the Government on that offer of assistance. I am quite sure the member for Cockburn will remember when we tabled the information about the assistance provided to Albany Spinning Mills. We spent most of the next two or three weeks answering questions that were framed about this issue, and that is how it should be. After all, taxpayers' money is involved. We are quite comfortable with the level of accountability that raises.

Comments have been made about the issue of equity. That was debated for quite some time. I have no favour for it; nevertheless, it was a recommendation in the Price Waterhouse Urwick report. Although I have no intention of using it, the original idea was that it would be used only when we were seeking whatever option was possible to recover funds. If there were no recourse in recovering funds other than to take some equity in a company that owed the Government money, it would do that. I can assure members that it is not an appropriate course for this or any Government to follow in an additional finance package to announce that the assistance is being provided on the basis of equity being taken in that company. We would much rather use it as a mechanism to strengthen our hand in the recovery mode to try to regain some funds. However, I acknowledge that it can be used both ways.

Recommendation 12 refers to the evaluation of agreements. We seek to evaluate those but, inevitably, no matter what evaluation we make there will always be people who claim it is a subjective judgment and then there is a fairly lively discussion about whether our evaluation is good and accurate. I do not wish to create a challenge for anybody, but since 1993 a company has not yet fallen over or failed to meet the criteria. I hope that remains the case. It is a fairly good record. It might indicate that I am a little too conservative in the assistance we provide to industry, but it is right that we pull back after the excesses of the late 1980s. It is worth noting that we have not had to action some form of recovery on anything other than some very small loans that generally have been made available through the Small Business Development Corporation under the regional enterprise funding scheme. They have a maximum of \$10 000 allocated to them. On a number of occasions both the business enterprise centres and the banks have not followed the guidelines associated with the allocation of those guarantees. When seeking to recover the money, we have found that there is no equity in the business and the banks have exercised the guarantee.

I refer to the comments about the net benefits being reported to the Parliament. It would be very difficult to do that. We report all of the financial assistance packages that have been put forward. If people want to ask a specific question about the net benefits of a particular package, I am quite sure the department would undertake to provide that information. To provide the net benefits for all financial assistance packages - there are hundreds of them when it comes down to all the small projects - would be an impossibility. With the major projects there would be no difficulty in providing that information. Quite a lot of it is gathered in the provision of the grant. We do monitor the progress that is made, so it would not be very difficult for major packages to have some reporting mechanism which could demonstrate the benefits. We have not given any great consideration to that, other than for major assistance projects that might have been taken on.

I do not agree with the extent to which the Public Accounts and Expenditure Review Committee should become involved in the process. The PAERC must make up its mind: It must determine whether it is a body which provides an overview or whether it will play a role in the allocation of financial assistance. In recommendation 20 it seems that it wants to be not only the umpire, but also a player. It cannot be both. While I am the Minister, it will not be a player. It can always be an umpire in that it has the authority to investigate any financial assistance package that is made available by the State Government; however, in my view it does not have the authority to usurp the role of government. It has an overview role in what the Government does. I will always draw that distinction and say that the PAERC will not be involved as a player but can, and should, always act as an umpire.

I will touch very briefly upon some of the issues that have been raised by the member for Cockburn. He and the member for Bassendean raised the issue of commercialisation of intellectual property. We are working to make sure we can capitalise on that. We find some of those innovative concepts and practices in the public sector anywhere we go. In fact, only recently we have established a Cabinet committee that deals with intellectual property. A

working group, consisting of chief executive officers or their delegated representatives, is also working through the issue of how to deal with the commercialisation of intellectual property. It is due to report its findings and to establish clear criteria on which the State can maximise the opportunities which will come to it through that process. Some things must be worked through: How much should we offer to individuals who develop the intellectual property; to what extent does the department retain the proceeds from that development; and to what extent does funding revert to the consolidated fund? All of those issues are being dealt with by that working group. So far considerable progress has been made with respect to that issue.

The members for Cockburn and Bassendean are correct in saying it will increasingly become an issue upon which the Government will be expected to have a clear policy with regard to the commercialisation of intellectual property. The member for Cockburn, because of his association with the Technology and Industry Advisory Council, commented on the worth of TIAC, as did the member for Collie. There is no doubt that it has submitted a number of reports which have been the basis upon which the Government has developed policy. The last one related to the health and medical infrastructure fund which now distributes \$1m annually to those people involved in health research, for the purpose of improving research in this State. The member for Cockburn also mentioned the level of research, as did the member for Eyre. I regret to advise them that compared with the Organisation for Economic Co-operation and Development countries, Australia's level of research in terms of its gross domestic product is not good. In OECD countries expenditure on research represents 1.2 per cent of GDP, and in Australia it represents 0.8 of 1 per cent of GDP. Even if Australia's level were increased by 50 per cent, the level of expenditure in this country would still only match the level expended by OECD countries. Western Australia has a long way to go with respect to the funding for research.

TIAC makes a significant contribution to those areas to which funding should be directed. It has completed good work. I note the member for Pilbara quoted from one of its documents dealing with infrastructure. It has also dealt with telecommunications and the need for Western Australia to undertake certain tasks if it is to stay in the race and keep pace with telecommunication facilities available throughout the world, particularly to the large urbanised areas of the eastern States as opposed to the remote regional areas of Western Australia.

Finally, I must answer the question raised by the member for Pilbara with respect to resources development. The answer is no, this Bill does not cover the activities of the Department of Resources Development. The member should know that, firstly, the definition of industry in this Bill would preclude any support for mining or agriculture in the primary sense. There would be support for certain value adding at some stage but it excludes agriculture and mining. The member should also know that, in the main, assistance to the mining industry is provided through agreement Acts which are administered by my colleague the Minister for Resources Development.

I thank those people who spoke in the debate for their support, and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

#### *Committee*

The Deputy Chairman of Committees (Mr Baker) in the Chair; Mr Cowan (Minister for Commerce and Trade) in charge of the Bill.

Mr COWAN: I seek some clarification. There is only one amendment on the Notice Paper but there are some typographical errors in the Bill which I have sought to correct. I have handed notice of these to the Clerks. I seek some indication that I am not required to move those amendments but that they will be corrected through the processes available to the Clerks.

The DEPUTY CHAIRMAN (Mr Baker): I advise the Minister for Commerce and Trade that the corrections to the typographical errors will be made.

#### **Clauses 1 and 2 put and passed.**

#### **Clause 3: Objects -**

Mr BROWN: The objects of this Bill are very broad. As discussed in the second reading debate, a number of recommendations emanated from a report by Price Waterhouse Urwick, and one of the matters considered at page 73 of that report was the issue of two government agencies promoting themselves as providers of a range of services to small businesses. The report states -

The potential for confusion and overlap of services in the marketplace has been recognised by both agencies, and an attempt to define the respective roles of the SBDC and the BECs has been made in a

Memorandum of Agreement completed in April 1994. There remains nevertheless, a significant degree of overlap in the services provided by the organisations, and confusion in the market as to their respective roles. This is freely acknowledged by both agencies.

The report further states -

While it may be somewhat outside the brief of this review to consider such issues, there is obviously a strong case for rationalising these two agencies and thereby eliminating potential duplication of service, providing for efficiencies of service delivery, and lessening confusion in the marketplace.

I acknowledge that over the past few years there has been a transfer of some functions from the Department of Commerce and Trade to the Small Business Development Corporation, mainly the overseeing and funding of business enterprise centres and the small business improvement program.

Nevertheless, I understand that other programs are operated by the Department of Commerce and Trade which apply to small business. Is there likely to be some rationalisation by putting matters concerning small business with the Small Business Development Corporation and matters concerning other business with Commerce and Trade? Will that be reflected in the objects of the Act for clarification?

Mr COWAN: The member is quite right - the responsibilities for the business enterprise centres have been transferred to the Small Business Development Corporation. Similarly, most if not all of the programs that are left on the AusIndustry range of programs have been transferred to the Small Business Development Corporation. After the change of government at the federal level the new Government reviewed the AusIndustry programs and many of them were cut. As a consequence, what is left, which is generally targeted towards small business, is very much the responsibility of the Small Business Development Corporation. I am happy to provide the member with advice on that, but I think he will find that I am right.

Mr BROWN: I wonder whether it is important in this clause or somewhere else, if not to include a mandatory provision, at least to include a provision in an advisory sense. There seems to be potential, if not now, then at some time in the future, for an overlap to occur. It would be wise given SBDC's desire for a one-stop shop, for example, which is eminently sensible, to be available through one organisation. If that process could be facilitated by amendment to this Bill it should be encouraged. The Minister for Commerce and Trade might wish to consider that between now and when the Bill is considered elsewhere.

The other matter concerns the support of innovation as part of the objects of the Bill. The Price Waterhouse Urwick report, together with the Mortimer report, recognises the key role of knowledge and innovation. I draw attention particularly to pages 39, 40 and 41 of the Price Waterhouse Urwick report. At page 39 it reads -

Knowledge is at the centre of the "new growth theories". This can be embodied in the new technologies and processes as well as knowledge in new ways of doing things. The spread and take-up of new technologies and processes are seen as being enhanced by the existence of skilled human resources, innovative businesses, and access to the latest knowledge, possibly embodied in equipment, plant and machinery.

At page 40 the authors talk about a publication by Michael E. Porter, *The Comparative Advantage of Nations* by McMillan Press and the key issues outlined by him for development involving innovation, competitive pressures and the creation and assimilation of knowledge. They go on to make the observation that they are not talking simply about research and development. The report reads -

The importance of innovation in these models is significant, as the concept of innovation goes beyond simply expenditure on R&D. For example, innovation is also linked to the level of skills of the workforce. Thus innovation does not rely upon "own account" R&D, but rather on the skills that can be applied by a firm to introduce a new or improved product or process. These skills may be of a technical nature (eg engineers and scientists), but are often associated with other non technical skills, building upon technology and R&D outcomes that are bought in or can be copied from others.

That is the theme of the Mortimer report. Price Waterhouse Urwick identifies five principles around which industry policy should be built. Although the objects of this Bill are stated to be to improve the efficiency of state industry and its ability to compete internationally, to encourage the establishment of new industry and so on, there is no specific mention of the importance of innovation in this context. Should that be considered given the emphasis in this report, in Mortimer's report and a range of other reports? Is it appropriate under the objects of this Bill to expand on that issue?

Mr COWAN: The member for Bassendean must be aware that this was one of those clauses in the Bill that was the subject of considerable debate within the department about exactly what words we should use to provide a very

general definition of the objects. In that sense "innovation" is about the only word that was left out. In many respects it is covered. I take the member's point that everyone is talking about innovation and how to take a State's innovative concepts to exploitation. That is the difficulty. Again, it is a matter of being pedantic. If we wanted to get involved in that we could have included it somewhere. I do not think the Bill loses anything by its not being there. Most people know that if we are to progress industry in this State, as we already have, we must be innovative.

The member commented on not having duplication between the SBDC and the department; that is precisely what we are seeking to do. Again, there is no formal recognition of that in this Bill. There does not have to be. We have an agreement through the Department of Commerce and Trade with AusIndustry. When that agreement terminates we will be able to identify exactly how we can formalise the authority of the SBDC with respect to support for small business. Already it is beginning to crystallise.

The department has a role in those export focused industries because we have expertise in the area of overseas trade and marketing. The SBDC has expertise in the area of small businesses looking internally to improve their output, productivity or efficiency. They are starting to fall naturally into place. We do not have formal, statutory recognition that one does this and the other does that. It is not the case that because they come under the responsibility of the one Minister, it will automatically fall that way. I am quite comfortable with what is occurring. We can further enhance that once the AusIndustry agreement expires.

We might have a new agreement with the Commonwealth. If there is no commonwealth funding we will go our own way. The Small Business Development Corporation will be responsible for the promotion of efficiency, productivity and enhancement of quality within a business. When those businesses seek to take their products to export markets the Department of Commerce and Trade will provide the market enhancement expertise.

Mr BROWN: I noticed throughout the Price Waterhouse Urwick report reference to the role of the State working in a complementary way with federal programs. It makes the point that in some programs there is equal or matching funding, but in other programs there are gaps that the State may seek to fill, and that the State will not seek to replicate what the Commonwealth is doing unless it thinks there has been an underfunding of a commonwealth program.

Given that relationship between the Commonwealth and the State, and given the degree to which the State will seek to mix and match its programs with the Commonwealth, while I am not an advocate of putting a lot of things in Acts simply to clog them up, it seems to me that this is an important issue. However, although the Price Waterhouse Urwick report regards it as such an important issue that it repeats it a number of times, and although it is included in the covering letter to the Minister that accompanies the report, there is nothing in the Bill about it. That matter should be included in the Bill, because in judging the success or otherwise of assistance schemes, it is important to try to judge the degree to which the State and the Commonwealth are contributing and whether the State needs to make a larger contribution because the Commonwealth is withdrawing from a certain program. The Minister for Commerce and Trade referred a moment ago to the fact that we have a low take up rate in research and development. The fact that the Commonwealth diminished the tax concession from 150 per cent to 125 per cent has had an impact. It would be worthwhile, in a Bill that sets a framework but not a policy, for that sort of arrangement to be reflected in the objects clause.

Mr COWAN: I thought the objects were so broad that I could probably tell the member that the framework was there anyway! In the main, when we are dealing with an authority for the State to provide assistance to industry, we would always, where we could, have a clear working agreement with the Commonwealth, as we do with Austrade, for example, with regard to market enhancement, trade development, or even investment. I do not believe that needs to be included in this legislation. We certainly need to cooperate fully with the Commonwealth to ensure that there is no duplication, but I do not believe we need to give it statutory force.

I am reminded that the word "innovation" is included in the definition of "industry" in this Bill.

#### **Clause put and passed.**

#### **Clause 4: Interpretation -**

Mr BROWN: The definition of "industry" states that it means any organised activity undertaken by one or more persons, whether or not a legal or economic entity, for a lawful commercial purpose. It appears from the definition that such an entity does not need to be a legal entity. Will this Bill permit financial assistance to be provided to a non legal entity; that is, an organisation that is not registered?

Mr COWAN: My understanding is that many small partnerships or business enterprises do not have a registered trading name but merely comprise people who have established a business arrangement or partnership. It was our view that we should not require people to register a trading name or business partnership if they had not already done

that. So long as they meet the guidelines and so long as they can provide the security that we need, they can and should be eligible for support from government.

Mr BROWN: I can understand that the Government may wish to provide assistance to individuals who have not gone to the point of registering a company or some other legal entity, and in those circumstances those individuals will be recognised as the legal entity. However, if the legal entity was those people and the assistance was provided to those people, those people would be named. Therefore, the words in brackets appear to be superfluous, because the assistance would be given not to the legal or economic entity but to the individuals who stood behind that name.

Mr COWAN: No. We would give it to the company, but we would seek security from the individuals.

**Clause put and passed.**

**Clause 5 put and passed.**

**Clause 6: Functions of Minister -**

Mr BROWN: One of the functions of the Minister is to encourage the development of industry policy for the benefit of the State. I assume that all those words endeavour to do is cajole whoever might be the Minister to achieve that objective, and not much more than that. They certainly do not state that an industry policy must be established, or put any time frame on the establishment of that policy. Can the Minister confirm that that is the case? Given the importance of the industry policy, Price Waterhouse Urwick recommended that the establishment of an industry policy be included in the objects of the Act rather than as a function of the Minister. One can always argue about the proper placement of matters in Acts. However, on a matter as fundamental as industry policy, perhaps the Minister can advise why the decision was made simply to include this as a function rather than a key object of the Act.

Mr COWAN: The provision is designed to ensure that we have a dynamic industry policy that will continue to move as changes are required. We have a draft industry policy before the strategic planning committee of Cabinet. Once it is signed off - and I do not anticipate that will be too far away - we will have an industry policy. Its placement in the Bill is a matter about which I cannot give an answer. As far as I am concerned it is here, it is important, and its status is whatever the department and its Minister gives it. I give it a high level of importance, as do other people in the department. I do not think it makes any difference whether it is a function or an object of the Act.

Mr BROWN: Function (f) is to promote state industry overseas through the establishment and maintenance of activities, relationships, representations and offices in selected countries. The Price Waterhouse Urwick report dealt with that matter. At page 101, it dealt with overseas offices. I understand from the report that two offices, one in London and one in Tokyo, fall under the purview of the Premier, not the Minister for Commerce and Trade. The Price Waterhouse Urwick report states that 90 per cent of functions carried out by those offices are commerce and trade related. The report recommends that the offices be administered through the Department of Commerce and Trade, as their functions are similar to other overseas offices. From the briefing provided by the Minister I understand that is not the case. Can the Minister indicate what is intended for these offices once this legislation is passed by Parliament?

Mr COWAN: The member obviously takes a good brief, because he is correct. I have responsibility for all offices, other than the European office and the North-East Asia office, because it covers Korea as well. Whether that remains with the Ministry of the Premier and Cabinet needs to be resolved by the Government. That was the practice the previous Government adopted and we have followed. However, the time is fast approaching when we must recognise that all overseas offices must come under the auspices of one Minister. It is only a matter of time before that happens.

**Clause put and passed.**

Progress reported.

## **BILLS (2) - RECEIPT AND FIRST READING**

1. Equal Opportunity Amendment Bill (No 3).
2. Public Notaries Amendment Bill.

Bills received from the Council; and, on motions by Mr Barnett (Leader of the House), read a first time.

*House adjourned at 11.06 pm*

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**QUESTIONS ON NOTICE**

Answers to questions are as supplied by the relevant Minister's office.
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**EDUCATION - JOONDALUP FAMILY CENTRE***Administration*

1705. Mr RIPPER to the Minister for Education:

- (1) Is it proposed that the Education Department of Western Australia take responsibility for the future administration of the Joondalup Family Centre?
- (2) If yes, what arrangements will be made to support the many community groups which currently use this family centre?

Mr BARNETT replied:

- (1) No. Family Centres are multi-purpose buildings operated by local management groups with some funding from Family and Children's Services. The management of Family Centres will remain the responsibility of local management groups.
- (2) Not applicable.

**SCHOOLS - TEACHERS***Staffing Formula - Consultation*

1707. Mr RIPPER to the Minister for Education:

What consultation has occurred between the State School Teachers Union of Western Australia and the Western Australian Council of State School Organisations regarding the introduction of the proposed new staffing formula for the allocation of teachers to schools?

Mr BARNETT replied:

The State School Teachers' Union is represented on the Staffing Formula Review Committee and, as such, has been involved in the development of the formula. The WA Council of State School Organisations has been briefed on the development of the formula and is working with the Department to resolve issues which have been identified.

**SCHOOLS - SCHOOL OF INSTRUMENTAL MUSIC***Role*

1708. Mr RIPPER to the Minister for Education:

- (1) Is the State Government reviewing the role and function of the School of Instrumental Music within the Education Department?
- (2) If yes, what is the objective of this review?
- (3) Can the Minister guarantee the Government will not be reducing its commitment to the provision of instrumental music education?

Mr BARNETT replied:

- (1) Yes. A report is expected in early 1998.
- (2) The object of the review is to assess the effectiveness and efficiency of current provision of instrumental music education.
- (3) Without pre-empting the findings of the review, the Government affirms an on-going commitment to the provision of instrumental music education.

## GOVERNMENT INSTRUMENTALITIES - ANNUAL REPORTS

*Costs*

1726. Mr BROWN to the Minister for the Environment; Employment and Training:

- (1) For each department or agency under the Minister's control, what was the cost of producing the 1995-96 annual report, including -
  - (a) artwork;
  - (b) publication;
  - (c) distribution?
- (2) How do the costs for the 1995-96 annual report compare with the costs associated with the 1994-95 annual report?
- (3) Was the 1995-96 annual report produced wholly within the department or agency?
- (4) If not -
  - (a) what services were provided by contractors;
  - (b) at what cost?
- (5) Who printed the 1995-96 annual report?
- (6) How many copies of the 1995-96 annual report were printed?
- (7) To whom was the 1995-96 annual report distributed?
- (8) Was environmentally-friendly or recycled material used in the production of the document?

Mrs EDWARDES replied:

Perth Zoological Gardens

- (1) Cost of producing 1995/96 annual report was \$14,900.85
 

(a) artwork -	\$6,977.00
(b) publication -	\$7,375.00
(c) distribution -	\$548.85
- (2) Costs for producing 1994/95 annual report was \$20,064.31
- (3) No.
- (4) (a) Creative, artwork preparation and production.  
(b) \$14,352
- (5) Daniels.
- (6) 1,000 copies.
- (7) Perth Zoo Board Members, Perth Zoo Society Trustees, Zoo Sponsors, IUDZG-WZO Members, Honorary Associate of the Board, University representatives, National Wildlife Parks, Sanctuaries, Zoos and other nature based establishments, other associated Government Departments and State Libraries.
- (8) Yes.

Department of Environmental Protection

- (1) (a) All artwork for the Department of Environmental Protection and the Environmental Protection Authority 1995-96 Annual Reports was done by DEP staff. It is not possible to quantify the number of hours spent designing the reports.  
(b) DEP's 1995-96 Annual Report cost \$10,085  
EPA's 1995-96 Annual Report cost \$3,855  
(c) Distribution costs for both reports were approximately \$10,000
- (2) EPA's 1995-96 Annual Report cost \$3,855 and the 1994-95 Annual Report cost \$3,415.  
DEP's 1995-96 Annual Report cost \$10,085 and the 1994-95 Annual Report cost \$9,725.
- (3) Yes.



- (4) Not applicable.
- (5) Scott Four Colour.
- (6) 2000 copies of both reports.
- (7) State and Federal Members of Parliament, Government agencies, Local Governments, libraries, universities, consultants and interested members of the general public.
- (8) Yes.

#### Kings Park and Botanic Gardens

- (1) The cost of producing the 1995-96 annual report was \$7,717.50
  - (a) artwork - \$3,675
  - (b) publication - \$4,040
  - (c) distribution - \$62.50
- (2) The cost for the 1994/95 Annual Report was \$7,650.
- (3) No.
- (4) (a) Design, production, negative preparation and printing.  
(b) \$6,925
- (5) Scott Four Colour Print.
- (6) 250 copies.
- (7) Key stakeholders including politicians, libraries and other botanic gardens.
- (8) Yes.

#### Western Australian Department of Training

- (1) (a) \$ 1,710  
(b) \$13,993  
(c) Postage costs are unavailable.
- (2) In 1994-95, the cost (exclusive of postage) was \$16,075
- (3) No.
- (4) (a) Printing, cover design and initial artwork.  
(b) \$15,703
- (5) Scott 4 Colour Print.
- (6) 2,000.
- (7) To a range of employers and industry groups, training providers, educational institutions, employment service agencies, interstate training agencies, media organisations, and internal work areas.
- (8) No.

#### Conservation and Land Management

- (1) The cost of producing the 1995-96 annual report was \$16,149.
  - (a) \$5389
  - (b) \$7703
  - (c) \$3057
- (2) The cost of the 1994-95 annual report was \$15,798.
- (3) No.
- (4) (a) Desk top publishing.  
(b) \$4320
- (5) Lamb Print.
- (6) 1500 copies.

- (7) Parliaments - Legislative Assembly, Legislative Council  
Senate, House of Representatives  
Conservation Groups  
Government Departments  
Industry and Unions  
Libraries/Universities/Research and Education Centres  
Local Government  
CALM District Offices, Regional Offices and Branch Managers
- (8) Recyclable materials were used.

MINISTERS OF THE CROWN - MINISTER FOR POLICE

*Sale of Assets*

1748. Mr BROWN to the Minister for Police; Emergency Services:

- (1) How many State Government assets of the value of \$200 000 or more have been sold by each of the departments or agencies under the Minister's control in each of the last four financial years?
- (2) What is the total value of the assets sold?
- (3) What have the moneys realised from the asset sales been used for?

Mr DAY replied:

The Western Australia Police Service

- (1) Nil.
- (2)-(3) Not applicable.

Bush Fires Board

- (1) Nil.
- (2)-(3) Not applicable.

Fire & Rescue Service

- (1) Midland House  
Lot 158 Great Eastern Highway  
Midland
- O'Connor Factory  
Lot 15 Cnr Peel Road and Adams Street  
O'Connor
- Belmont Training Academy  
Lot 5 Great Eastern Highway  
Belmont
- House and Land  
Lot 8 Kimberley Street  
Belmont

- (2) \$2,780,000
- (3) The moneys realised from the asset sales will be used to offset borrowings and reduce capital debt levels.

State Emergency Services

- (1) Nil.
- (2)-(3) Not applicable.

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

*Allocation*

1754. Mr BROWN to the Minister for Police; Emergency Services:

- (1) How much has each department and agency under the Minister's control allocated to advertising in the 1997-98 financial year?

(2) What is the purpose of the advertising?

Mr DAY replied:

Western Australia Police Service

- (1) Approximately \$134,000. Firearms Buyback Scheme advertisements are not included in this figure. These advertisements are expected to be approximately \$71,000 which is paid for by the Federal Government.
- (2) Primarily to fill staff vacancies.

Bush Fires Board

- (1) \$5,000
- (2) Promotion of the Bush Fires Board Act and Services at Country shows. Promotion of volunteerism and recruitment.  
Advertising of job vacancies.

Fire & Rescue Service

- (1) \$240,000
- (2) General fire safety awareness, including major campaigns for Smoke Alarms, WinterSafe, SummerSafe and Fire Prevention Week  
Highlighting the role of volunteers, including making of television community service announcement and special newspaper feature for Eastern Volunteer Fire Brigade Championships  
Station Open Days  
Recruitment advertising  
Tenders and expressions of interest

State Emergency Service

- (1)-(2) Nil.

#### POLICE - BURGLARIES

##### *Statistics*

1765. Dr CONSTABLE to the Minister for Police:

For each month from 1 July 1996 to 30 June 1997 inclusive, what was the number of -

- (a) house break-ins/burglaries; and  
(b) clearances of those crimes,

reported in the following areas -

- (i) Floreat;  
(ii) City Beach;  
(iii) Wembley Downs;  
(iv) Churchlands;  
(v) Woodlands;  
(vi) Wembley;  
(vii) Scarborough;  
(viii) Glendalough; and  
(ix) Doubleview?

Mr DAY replied:

- (a) The following figures relate to the number of housebreak-ins/burglaries for the period 1 July 1996 to 30 June 1997.

	JU L	AU G	SE P	OC T	NOV	DEC	JAN	FEB	MAR	APR	MA Y	JUN E
FLOREAT	3	8	16	19	16	8	9	8	9	3	8	6
CITY BEACH	2	13	5	24	10	5	6	12	20	4	5	2
WEMBLEY DOWNS	7	5	5	16	13	8	4	9	14	3	5	4

CHURCHLANDS	3	2	3	2	1	3	2	10	1	1	4	5
WOODLANDS	7	5	3	11	14	12	13	9	11	6	5	3
WEMBLEY	19	21	17	24	28	23	10	10	13	15	11	27
SCARBOROUGH	39	43	34	36	37	40	47	47	32	31	28	32
GLENDALOUGH	1	6	15	13	17	13	8	11	13	6	13	15
DOUBLEVIEW	14	21	13	18	37	32	28	16	9	15	15	24

- (b) The following figures relate to the clearance of 'house break-ins/burglaries' for the period 1 July 1996 to 30 June 1997:

	JU L	AU G	SE P	OC T	NO V	DE C	JAN	FEB	MAR	APR	MA Y	JUN E
FLOREAT	-	-	-	-	1	-	-	-	-	-	-	-
CITY BEACH	-	1	-	1	-	-	-	-	2	-	-	-
WEMBLEY DOWNS	1	1	-	-	-	-	1	-	1	-	1	-
CHURCHLANDS	-	-	1	-	-	-	-	2	-	-	-	-
WOODLANDS	1	-	-	1	1	-	1	1	1	1	-	-
WEMBLEY	2	4	1	-	3	5	2	1	-	1	2	1
SCARBOROUGH	2	6	1	5	6	1	4	-	3	1	-	1
GLENDALOUGH	-	-	2	1	-	-	1	-	-	2	-	-
DOUBLEVIEW	2	-	-	-	5	2	1	-	-	-	1	-

#### Notes

- \* Clearances are not directly linked to reported offences in the same period and some of the above offences may have been cleared by another Police Station or Squad.
- \* To identify specific offences that have been cleared it would require a manual search or a complicated extraction program to target each Offence Report to ascertain whether that specific Offence Report had been cleared.

### POLICE - CRIMES OF VIOLENCE

#### *Statistics*

1769. Dr CONSTABLE to the Minister for Police:

- (1) For each month from 1 July 1996 to 30 June 1997 inclusive, what was the number of -

- (a) crimes of violence/assaults; and  
(b) clearances, or successful prosecutions of those crimes,

reported in the following areas:

- (i) Floreat;  
(ii) City Beach;  
(iii) Wembley Downs;  
(iv) Churchlands;  
(v) Woodlands;  
(vi) Wembley;  
(vii) Scarborough;  
(viii) Glendalough; and  
(ix) Doubleview?

- (2) How do those figures compare to the period 1 July 1995 to 30 June 1996?

Mr DAY replied:

- (1) (a) The following figures relate to 'offences against the person' for the period 1 July 1996 to 30 June 1997 for the localities named:

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE
FLOREAT	2	-	2	-	-	2	2	1	2	3	2	-
CITY BEACH	-	-	-	-	2	2	3	-	6	1	-	-
WEMBLEY DOWNS	5	1	3	-	2	1	1	-	2	-	2	-
CHURCHLANDS	2	1	-	-	2	2	1	-	-	-	-	-
WOODLANDS	-	1	2	-	-	1	1	-	1	-	2	2
WEMBLEY	3	6	5	10	7	4	4	7	3	9	5	5
SCARBOROUGH	23	18	19	18	20	13	24	12	18	11	5	5
GLENDALOUGH	6	3	9	4	1	1	3	7	4	3	2	-
DOUBLEVIEW	8	3	6	2	5	3	7	7	1	2	5	3

- (b) The following figures relate to the clearance of 'offences against the person' for the period 1 July 1996 to 30 June 1997 for the localities named:

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE
FLOREAT	-	-	-	-	-	1	1	-	1	-	-	-
CITY BEACH	-	-	-	-	-	1	2	-	1	-	-	-
WEMBLEY DOWNS	-	-	1	-	1	-	1	-	-	-	1	-
CHURCHLANDS	1	1	-	-	1	-	1	-	-	-	-	-
WOODLANDS	-	-	-	-	-	-	-	-	-	-	-	-
WEMBLEY	-	6	2	3	2	-	1	3	-	5	1	-
SCARBOROUGH	9	3	5	4	3	2	3	3	3	-	1	-
GLENDALOUGH	4	-	5	-	-	1	1	-	1	-	-	-
DOUBLEVIEW	2	2	2	-	2	1	3	2	-	1	-	1

- (2) (a) The following figures relate to 'offences against the person' for the period 1 July 1995 to 30 June 1996 for the localities named:

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE
FLOREAT	2	1	6	-	3	1	2	3	5	2	3	-
CITY BEACH	-	2	1	1	1	3	6	7	2	1	-	5
WEMBLEY DOWNS	-	-	-	1	-	2	-	1	2	-	1	-
CHURCHLANDS	-	1	2	-	1	1	-	-	1	1	1	-
WOODLANDS	-	-	2	1	-	1	3	2	-	4	-	-
WEMBLEY	7	5	11	2	6	4	3	7	3	1	4	8
SCARBOROUGH	11	35	9	25	20	15	12	9	31	12	13	15
GLENDALOUGH	1	7	6	5	3	1	5	-	-	5	1	1
DOUBLEVIEW	7	3	1	-	3	5	1	4	5	2	3	3

- (b) The following figures relate to the clearance of 'offences against the person' for the period 1 July 1995 to 30 June 1996 for the localities named:

	JUL	AUG	SEP	OC	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE
FLOREAT	-	-	-	-	1	1	-	-	3	-	1	-
CITY BEACH	-	1	-	-	-	-	1	1	1	1	-	-
WEMBLEY DOWNS	-	-	-	-	-	2	-	-	1	-	-	-
CHURCHLANDS	-	1	-	-	-	-	-	-	-	1	-	-
WOODLANDS	-	-	1	1	-	-	2	1	-	3	-	-
WEMBLEY	5	4	6	1	1	-	-	3	2	1	2	3
SCARBOROUGH	5	17	2	13	15	1	4	1	7	4	6	1
GLENDALOUGH	-	6	1	-	2	-	-	-	-	3	1	-
DOUBLEVIEW	2	2	-	-	3	4	-	1	2	-	1	1

Notes:

- \* Clearances are not directly linked to reported offences in the same period and some of the above offences may have been cleared by another Police Station or Squad.
- \* To identify specific reported offences that have been cleared would require a manual search or a complicated extraction program to target each Offence Report to ascertain whether that Offence Report had been cleared.

### EDUCATION - FIRST STEPS PROGRAM

#### *Agreement with Longman Cheshire*

1783. Dr CONSTABLE to the Minister for Education:

- (1) When was the agreement between the Education Department and Longman Cheshire relating to the First Steps program entered into?
- (2) What were the essential terms of the agreement between the Education Department and Longman Cheshire relating to the First Steps program, including -
  - (a) the contract price;
  - (b) royalty arrangements;
  - (c) copyright ownership and licensing; and
  - (d) consultancy/professional development arrangements?
- (3) What other contracts have been entered into relating to First Steps, in particular any contracts relating to the licensing of contractors to market the program, produce course materials and provide professional development, and in respect of each contract -
  - (a) who were the contracting parties;
  - (b) when was the contract entered into; and
  - (c) what were the essential terms of the contract, including the value of the contract?

Mr BARNETT replied:

- (1) Agreement with Longman Cheshire was entered into on 15 November 1993.
- (2) The State Supply Commission accepted the tender of Longman Cheshire for the provision of a service for the Publication and Marketing of the First Steps Literacy Program Curriculum, setting out retail prices for each of the nine books.
  - (a) There was no contract price. The contract prescribed an author/publisher relationship between parties.

- (b) The contract royalty payment per title Net Sale was 15% within Australia and 10% overseas. An escalation clause stated that where sales within Australia of any published book exceeded 3,000 units, the royalty payments should be 20% of net receipts for additional sales in excess of 1,000 units per annum. The Education Department, comprising Central Office, District Offices and Western Australian government schools, could purchase multiple copies of the materials at a discount of 33.5% off the retail prices.
  - (c) Copyright ownership has always been vested in the Education Department on behalf of the Government of Western Australia. For the term of the contract the Minister for Education, on behalf of the Government, assigned to the Publisher its licence to publish and distribute the materials.
  - (d) There were no consultancy or professional development arrangements between Longman Cheshire and the Education Department.
- (3) Marketing of the Program: No contracts relating to First Steps have been entered into in relation to the marketing of the program.

Production of Course Materials: No contracts have been entered into regarding First Steps course materials in the USA or UK. Publication of these is entirely a matter for the contracted publisher, Reed Elsevier Inc.

Production of Course Materials for Australasia:

- (a) Contracts for the printing of course materials for the delivery of professional development within Australasia are entered into according to guidelines prescribed by the Education Department's Contract and Supply Services. Quotations are sought from three printers located in the vicinity of the forthcoming course, thus avoiding transportation costs.
- (b) The contract is then awarded to the printer who offers the cheapest satisfactory quotation. Contracts are entered into six weeks before the commencement of each course.
- (c) Materials are required to be delivered to the venue the day before the scheduled course, properly collated and packaged. A typical price is \$27 per set of materials. Total cost of printing: \$70,000.

Professional Development Teacher Resources

- 1.
  - (a) Developmental Literacy Consultancy was contracted to produce ancillary materials.
  - (b) Contract was entered into February 1997.
  - (c) Value: \$13,257. Paid on delivery of satisfactory materials on schedule.
- 2.
  - (a) Developmental Literacy Consultancy was contracted to produce resource materials.
  - (b) Contract was entered into February 1997.
  - (c) Value: \$2,952. Paid on delivery of satisfactory materials on schedule.

Production of Training Videos

- 1.
  - (a) CFM Production.
  - (b) Contract entered into October 1996.
  - (c) Value: \$31,605 on delivery of fully edited copy on schedule.
- 2.
  - (a) Fairy Tale Video, Clayton.
  - (b) Contract entered into September 1996.
  - (c) Value: \$19,800. Paid on delivery of fully edited copy.

Development of Business Plan

- (a) The Marketing Centre.
- (b) Contract entered into April 1996.
- (c) Value: \$7,000 paid on completion of document.

Management of Tender for Book Contract

- (a) Price Waterhouse.
- (b) Contract entered into November 1996.
- (c) \$7,700. Paid after awarding of contract to successful tenderer.

Research Project - Literacy Strategies for Western Australian Schools

- (a) Precision Information Pty Ltd.
- (b) Contract entered into March 1997.
- (c) \$15,000.

Research Assistance for the above Project

- (a) JR Enterprises.
- (b) Contract entered into June 1997.
- (c) \$8,000. Not yet paid as Project not yet completed.

Development of Strategy for Outsourcing of First Steps Consultancy Unit

- (a) Price Waterhouse.
- (b) January 1997.
- (c) \$17,340 partial payment May 1997. Remaining \$9,660 on completion of process. Total cost: \$27,000.

EDUCATION - FIRST STEPS PROGRAM

*Cash Analysis*

1785. Dr CONSTABLE to the Minister for Education:

- (1) In relation to the cash analysis provided for the First Steps Consultancy Unit by way of supplementary information during the 1997 Estimates hearing -
  - (a) how many FTEs account for the salaries and allowances in the expenditure column;
  - (b) what, in detail, are the contingencies referred to in the expenditure column;
  - (c) what are the PD and book royalties per unit in Australia and overseas; and
  - (d) on what basis are the 1997-98 and 1998-99 revenue projections made in respect of book royalties, in particular the projected increases in relation to overseas book royalties?
- (2) What is the detailed breakdown of revenue and expenditure for the First Steps program in 1993-94; 1994-95; and 1995-96?

Mr BARNETT replied:

- (1)
  - (a) 16 FTEs.
  - (b) See paper No 841 - First Steps Consultancy Unit - Expenditure.
  - (c) Longman Cheshire contract: The contract royalty payment per title Net Sale was 15% within Australia and 10% overseas. An escalation clause stated that where sales within Australia of any published book exceeded 3,000 units, the royalty payments should be 20% of net receipts for additional sales in excess of 1,000 units per annum. The Education Department, comprising Central Office, District Offices and Western Australian government schools, could purchase multiple copies of the materials at a discount of 33.5% off the retail prices.  
  
Expected contract with Rigby Heinemann: The royalty rates are expected to be significantly higher than the Longman Cheshire contract rates, however due to the need for commercial propriety the actual rates cannot be made available until the proposed contract with Rigby Heinemann has been signed.
  - (d) The basis of the 1997-98 and 1998-99 revenue projections in respect of book royalties is based on sales projections. The Australian sales of books have been assumed to be constant at 1996-97 levels for 1997-98 and 1998-99. The overseas book royalties estimates for 1997-98 and 1998-99 are based on sales projections provided by Heinemann Publishing which are assumed to relate to market demand, which is in turn directly related to the number of First Steps consultants in the field. Also, the estimates for book royalties have been calculated on the new royalties rates expected in the new book publishing contract to be finalised with Rigby Heinemann in the next few weeks.
- (2) See paper No 841 - First Steps Consultancy Unit - Expenditure. The revenue royalties figures for the First Steps Consultancy Unit are sensitive due to the need for commercial propriety as stated in (1) (c). For this reason, these figures cannot be divulged.

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - DR SYD SHEA

*Visit to Japan*

1803. Mr BROWN to the Premier:

- (1) Did the Government table a report on the interstate and overseas travel undertaken by Ministers, members of Parliament and officers on official business for the three months ending 30 June 1996?



- (2) Did Dr Syd Shea, Executive Director, Department of Conservation and Land Management, visit Japan during the reporting period?
- (3) On what dates did Dr Shea travel to and return from Japan?
- (4) Was the travel undertaken by him reported in the report?
- (5) If not, why not?

Mr COURT replied:

- (1)-(2) Yes.
- (3) 26 May - 1 June.
- (4) No.
- (5) The travel report is compiled from returns submitted by each agency. Dr Shea's travel details were inadvertently omitted from the Department of Conservation and Land Management's return. The travel report for the quarter ended March 1997 will include an addendum to correct this omission.

## FORESTS AND FORESTRY - SOUTH WEST

### *Original Vegetation*

1821. Mr MASTERS to the Minister for the Environment:

- (1) What is the percentage of substantially undisturbed, original vegetation occurring within the forest region of south west Western Australia, contained within the following vegetation types -
  - (a) forests (jarrah, karri and mixed forests) but excluding non-forest and non-woodland vegetation such as heath or scrub;
  - (b) woodlands (all tree varieties) but excluding non-forest and non-woodland vegetation such as heath or scrub;
  - (c) all other vegetation types in combination?
- (2) Of the three vegetation types specified in (1)(a), (b) and (c) above, what proportion of each are contained within -
  - (a) national parks;
  - (b) state forests that are fully protected from all timber extraction activities and contained within -
    - (i) stream and road reserves;
    - (ii) other state forest areas;
  - (c) state forests proposed for or potentially available for any timber extraction activities and contained within -
    - (i) stream and road reserves;
    - (ii) other state forest areas;
  - (d) other Crown land, including nature reserves, that is fully protected from all timber extraction activities;
  - (e) other Crown land not securely protected from all timber extraction activities; and
  - (f) private land?
- (3) If it is accepted that forests and woodlands subject to timber extraction prior to 1950 or thereabouts and not further affected by such activities are today potentially of high conservation value, what additional areas would be added to the answers requested in (1) and (2) above?

Mrs EDWARDES replied:

- (1)-(3) It is not possible to answer this question now since data on forest disturbance is still being validated for the Comprehensive Regional Assessments. These assessments are being conducted under the Regional Forest Agreement process with the Commonwealth.

## GOVERNMENT INSTRUMENTALITIES - CONTRACTS

*Value and Terms*

1831. Mr BROWN to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) What functions or services has each department or government agency under the Minister's control contracted out since 1993, stating -

- (a) the date;
- (b) the amount;
- (c) the recipient;
- (d) whether the recipient was Western Australian, Australian or foreign; and
- (e) the term of the contract,

for contracts worth the following amounts -

- (i) more than \$100 000;
- (ii) between \$50 000 and \$100 000;
- (iii) between \$10 000 and \$50 000;
- (iv) between \$1 000 and \$10 000?

- (2) What functions or services are being planned or intended to be contracted out by each department or government agency under the Minister's control during the current term of government, stating -

- (a) the approximate date it will take place;
- (b) the amount;
- (c) the recipient;
- (d) whether the recipient is Western Australian, Australian or foreign; and
- (e) the term of the contract,

for contracts worth the following amounts -

- (i) more than \$100 000;
- (ii) between \$50 000 and \$100 000;
- (iii) between \$10 000 and \$50 000;
- (iv) between \$1 000 and \$10 000?

Dr HAMES replied:

- (1) Procuring services from the private and not-for-profit sector is and has traditionally been part of the routine business of government. In 1995/96, public sector agencies spent an estimated \$2.3 billion on many thousands of contracts across an extremely diverse range of goods and services. Unfortunately, the information sought by the member for Bassendean is not readily available and would require considerable resources to collect. I would like to direct the member's attention to those public documents emanating from the State Supply Commission in regard to expenditure on goods and services. Furthermore, I will ensure that the member is provided with a copy of the report on the third annual survey of competitive tendering and contracting in the public sector, which sets out broad information on the level and nature of contract expenditure on services.

The Government is well aware of the potential benefits in the provision of information pertaining to contracts. These data are useful tools in assisting local businesses to identify opportunities to supply to Government as well as providing relevant information to potential subcontractors and subsuppliers to Government contractors. Work has already commenced on developing systems which will assist in the provision of information relating to the public sector's purchasing and contracting activities. Investigations are proceeding to identify effective ways of publishing such data in electronic form. These measures will also fulfill the Government's commitment to implement the Commission on Government's recommendation 11.

- (2) It is not possible to determine the extent of contracting out which will occur during the remainder of the Government's current term. The report on the third annual survey of competitive tendering and contracting referred to above, however, includes some information on agencies' contracting intentions and the type of services likely to be market tested. In line with the Government's competitive tendering and contracting policies, public sector agencies will continue to progressively review their activities in order to identify potential contracting opportunities with the aim of providing best value-for-money and quality services to the community.

## GOVERNMENT INSTRUMENTALITIES - CONTRACTS

*Value and Terms*

1840. Mr BROWN to the Minister representing the Minister for Transport:

- (1) What functions or services has each department or government agency under the Minister's control contracted out since 1993, stating -

- (a) the date;
- (b) the amount;
- (c) the recipient;
- (d) whether the recipient was Western Australian, Australian or foreign; and
- (e) the term of the contract,

for contracts worth the following amounts -

- (i) more than \$100 000;
- (ii) between \$50 000 and \$100 000;
- (iii) between \$10 000 and \$50 000;
- (iv) between \$1 000 and \$10 000?

- (2) What functions or services are being planned or intended to be contracted out by each department or government agency under the Minister's control during the current term of government, stating -

- (a) the approximate date it will take place;
- (b) the amount;
- (c) the recipient;
- (d) whether the recipient is Western Australian, Australian or foreign; and
- (e) the term of the contract,

for contracts worth the following amounts -

- (i) more than \$100 000;
- (ii) between \$50 000 and \$100 000;
- (iii) between \$10 000 and \$50 000;
- (iv) between \$1 000 and \$10 000?

Mr OMODEI replied:

The Minister for Transport has provided the following reply:

- (1) Procuring services from the private and not-for-profit sector is and has traditionally been part of the routine business of government. In 1995/96, public sector agencies spent an estimated \$2.3 billion on many thousands of contracts across an extremely diverse range of goods and services. Unfortunately, the information sought by the Member for Bassendean is not readily available and would require considerable resources to collect. I would like to direct the Member's attention to those public documents emanating from the State Supply Commission in regard to expenditure on goods and services. Furthermore, I will ensure that the Member is provided with a copy of the report on the third annual survey of competitive tendering and contracting in the public sector, which sets out broad information on the level and nature of contract expenditure on services.

The Government is well aware of the potential benefits in the provision of information pertaining to contracts. These data are useful tools in assisting local businesses to identify opportunities to supply to Government as well as providing relevant information to potential subcontractors and subsuppliers to Government contractors. Work has already commenced on developing systems which will assist in the provision of information relating to the public sector's purchasing and contracting activities. Investigations are proceeding to identify effective ways of publishing such data in electronic form. These measures will also fulfill the Government's commitment to implement the Commission on Government's recommendation 11.

- (2) It is not possible to determine the extent of contracting out which will occur during the remainder of the Government's current term. The report on the third annual survey of competitive tendering and contracting referred to above, however, includes some information on agencies' contracting intentions and the type of services likely to be market tested. In line with the Government's competitive tendering and contracting policies, public sector agencies will continue to progressively review their activities in order to identify potential contracting opportunities with the aim of providing best value-for-money and quality services to the community.

ABORIGINES - WATER SUPPLIES

*Remote Communities*

1871. Mr GRAHAM to the Minister for Aboriginal Affairs:

Who is responsible for the testing of water supplies in remote Aboriginal communities?

Dr HAMES replied:

The Aboriginal Affairs Department currently contracts the Water Corporation to undertake water sampling in 43 remote communities in Western Australia. These communities represent those for which the State has accepted repair and maintenance responsibility since a 1985 agreement with the Federal Government and which are not connected to town water supplies. There is no formal testing program for communities outside of this list although ad hoc sampling is undertaken by the Water Corporation or local government officers.

For the information of the member, this current arrangement has been recognised as unsatisfactory by the State Government. As a consequence the Minister for Health has appointed a working party, chaired by myself, to prepare advice for Government on ways to improve the monitoring of water quality in remote Aboriginal communities.

SCHOOLS - PILBARA

*Additional Resources*

1876. Mr GRAHAM to the Minister for Education:

- (1) What additional resources will be put into Pilbara schools as a result of the amalgamation of the two district offices?
- (2) Which schools will receive additional resources?
- (3) On what date will the schools receive the additional resources?
- (4) What form will the additional resources take?

Mr BARNETT replied:

- (1) There will be no additional resources placed into Pilbara schools as a result of the amalgamation of the two district offices. There will, however, be additional resources put into the Pilbara district to support schools. These will include increases in district budgets, and the provision for the appointment of senior personnel in student services and financial and human resources advisory services. There will also be provision for appointing a senior school principal to assist the district director.
- (2)-(4) Not applicable.

SCHOOLS - PORT HEDLAND

*District Education Office - Closure*

1877. Mr GRAHAM to the Minister for Education:

How will the Minister guarantee that the schools in Port Hedland and its hinterland will not be disadvantaged as a result of the closing of the District Education Office?

Mr BARNETT replied:

The education office in Hedland will not close. Rather, it is being linked with the Karratha Office as part of the new Pilbara Education District. The District Director will be located in Karratha, while the Hedland office will be managed by a Principal Consultant. As a result of these changes, services to schools will not be downgraded and, as such, schools in Port Hedland and its hinterland will not be disadvantaged.

ABORIGINES - PARNPJINYA COMMUNITY

*Additional Programs*

1879. Mr GRAHAM to the Minister for Aboriginal Affairs:

I refer to my question on notice 1683 of 26 June 1997 and ask, what projects have been delayed or postadditional programs at the Parnpajinya Community near Newman?

Dr HAMES replied:

None.

ABORIGINES - PARNPJINYA COMMUNITY

*Additional Programs*

1880. Mr GRAHAM to the Minister for Aboriginal Affairs:

I refer to my question on notice 1683 of 26 June 1997 and ask, what projects have been cancelled in order for Departments to meet the commitments given to fund additional programs at the Parnpajinya Community near Newman?

Dr HAMES replied:

There have been no projects cancelled in order for programs to be implemented at Parnpajinya Aboriginal Community.

ABORIGINES - PARNPJINYA COMMUNITY

*Additional Programs*

1881. Mr GRAHAM to the Minister for Aboriginal Affairs:

I refer to my question on notice 1683 of 26 June 1997 and ask, what services have been delayed in order for Departments to meet the commitments given to fund additional programs at the Parnpajinya Community near Newman?

Dr HAMES replied:

None.

ABORIGINES - PARNPJINYA COMMUNITY

*Additional Programs*

1882. Mr GRAHAM to the Minister for Aboriginal Affairs:

I refer to my question on notice 1683 of 26 June 1997 and ask, what services have been cancelled in order for Departments to meet the commitments given to fund additional programs at the Parnpajinya Community near Newman?

Dr HAMES replied:

None.

POLICE - STATIONS

*Number and Location*

1905. Mr McGOWAN to the Minister for Police:

- (1) How many police stations are there in Western Australia?
- (2) Where are each of these police stations located?
- (3) How many police officers are located at each of these stations?
- (4) At each of these stations, what are their operational categories?
- (5) At each of these stations, how many of these officers are in each of these operational categories?

Mr DAY replied:

- (1) 160.
- (2) See below -

**Metropolitan Region:**

Armadale	Fremantle	Wanneroo	Inglewood	Central
Belmont	Hilton	Warwick	Innaloo	City
Cannington	Kwinana	Forrestfield	Maylands	Claremont
Gosnells	Palmyra	Kalamunda	Morley	Cottesloe
Mundijong	Rockingham	Lockridge	Mount Hawthorn	Leederville
South Perth	Rottnest	Midland	Nollamara	Nedlands
Victoria Park	Ballajura	Mundaring	North Perth	Subiaco
Brentwood	Joondalup	Bayswater	Scarborough	Wembley
Cockburn	Two Rocks			

**Southern Region:**

Albany	Busselton	Geraldton	Lake Grace	Koorda
Broomehill	Collie	Kalbarri	Narembene	Lancelin
Cranbrook	Donnybrook	Leeman	Narrogin	Merredin
Denmark	Dunsborough	Mingenew	Pingelly	Moora
Esperance	Dwellingup	Morawa	Wagin	Mukinbudin
Gnowangerup	Harvey	Mullewa	Wickepin	New Norcia
Katanning	Manjimup	Northampton	Williams	Northam
Kojonup	Mandurah	Perenjori	Bencubbin	Quairading
Mount Barker	Margaret River	Three Springs	Bruce Rock	Southern Cross
Ongerup	Nannup	Beverley	Cunderdin	Toodyay
Ravensthorpe	Pemberton	Boddington	Dalwallinu	Trayning
Tambellup	Pinjarra	Brookton	Dowerin	Wongan Hills
Augusta	Waroona	Corrigin	Gingin	Wundowie
Australind	Yarloop	Dumbleyung	Goomalling	Wyalkatchem
Boyup Brook	Carnamah	Kondinin	Jurien	York
Bridgetown	Dongara	Kulin	Kellerberrin	
Bunbury				

**Nothern Region:**

Argyle	Kununurra	Karratha	Pannawonica	Shark Bay
Broome	Wyndham	Marble Bar	Paraburdoo	South Hedland
Derby	Carnarvon	Newman	Port Hedland	Tom Price
Fitzroy Crossing	Dampier	Nullagine	Roebourne	Wickham
Halls Creek	Exmouth	Onslow		

**Central Region:**

Coolgardie	Kambalda	Leonora	Cue	Mount Magnet
Eucla	Laverton	Menzies	Gascoyne Junction	Wiluna
Kalgoorlie	Leinster	Norseman	Meekatharra	Yalgoo

(3)-(5) As at July 31, 1997, approved allocation of sworn officers at a Regional level was:

Metropolitan	1775
Southern	744
Northern	307
Central	200.5

The other remaining officers are allocated to specialist portfolios and support areas. Staffing levels at police stations are subject to operational requirements and may vary to meet needs as they arise within each Police Region.

**REAL ESTATE - AGENTS***Written Contractual Agreements - Details of Properties*

1921. Mr BROWN to the Minister for Housing:

With reference to the Auditor General's Report tabled on 20 August 1997 under the section "Minister for Housing" -

- (1) What was the name of the Perth real estate agency which was paid \$128 391 commission for selling properties in country areas without a written contractual agreement?
- (2) Why was there no contractual agreement?
- (3) Who approved this arrangement?
- (4) What were the details of the properties sold including -

- (i) name of vendor;
  - (ii) name of purchaser;
  - (iii) location and details of property;
  - (iv) purchase price;
  - (v) name of the settlement agent who acted in each case;
  - (vi) commission paid on each property;
  - (vii) name of the agent who handled each sale?
- (5) What action has been taken regarding the contravention of the State Supply Commission public tender requirements?

Dr HAMES replied:

- (1) Residential Equity Solutions and Investments Western Australia (RESIWA) Pty Ltd.
- (2) Policy was not followed.
- (3) The former Manager of ICEHA.
- (4)
  - (i) ICEHA was the vendor in all cases.
  - (ii)-(iv) See paper No 879.
  - (v) Homeswest acted as ICEHA's settlement agent in all cases. Purchasers appointed their own settlement agents.
  - (vi) See paper No 879.
  - (vii) RESIWA Pty Ltd.
- (5) An immediate investigation by the Internal Auditor. The findings were reported to the Auditor General.

#### ALINTAGAS AND WESTERN POWER - DEBT

##### *Reduction*

1928. Mr BROWN to the Minister for Energy:

- (1) Is the Minister aware that in answer to question on notice No. 986 of 1997, the Treasurer advised that SECWA had a debt of \$3 629.7 million on 30 June 1993 and that Western Power and AlintaGas had a debt of \$2 118.7 million and \$1 157.7 million respectively on 30 June 1996?
- (2) Has the total debt owed by AlintaGas and Western Power been reduced by income earned, appreciation or sale of assets or some other way and, if so, how?

Mr BARNETT replied:

Western Power

- (1) Yes.
- (2) Western Power has reduced debt by reducing its costs which allows the resulting increased profits to be, in part, used to reduce debt. There has been no significant reduction from asset sales.

AlintaGas

- (1) Yes.
- (2) The reduction in the total debt owed by AlintaGas at 30 June 1996 was brought about in part by the strengthening of the Australian dollar, which resulted in a reduction of \$29 million in the valuation of foreign currency denominated loans as at 30 June 1996. Principal repayments during the 1995/96 financial year totalled \$103 million, mainly financed through internally generated funds, with asset sales contributing only \$0.75 million.

#### SELECT COMMITTEE INTO CHILD MIGRATION - CONVERSION INTO HONORARY ROYAL COMMISSION

1938. Mr BROWN to the Premier:

- (1) Further to question on notice No. 1636 of 1997, does the Government intend to make a decision on this matter this year?
- (2) If not, why not?
- (3) Does the Premier intend to have the matter listed for Cabinet consideration?

- (4) If not, why not?
- (5) Has the Government essentially decided to shelve the issue by refusing to make a decision on the recommendations on the report?
- (6) If not, when is it envisaged a decision will be made?

Mr COURT replied:

- (1)-(6) As indicated previously, no decision has been made on any future action. However, a British House of Commons Select Committee has announced that it will hold an inquiry into child migration. The Government will forward a copy of the Western Australian report to that Committee to assist with its deliberations.

#### POLICE - CRIME REPORTING

##### *Accessibility of Police*

1939. Mr BROWN to the Minister for Police:

- (1) Further to question on notice No. 1455 of 1997, did the Minister and/or the Commissioner of Police have any reports in their hands which indicated that people had more faith in the competence in the Police Service immediately prior to the statement being made that crimes are likely to be reported this year as police are more accessible?
- (2) If not, on what objective evidence was the comment based?

Mr DAY replied:

- (1) The second report on Government Service Provision, compiled under the auspices of the Council of Australian Government was released on February 14, 1997. Part of the national survey deals with Police Services, their contact and the satisfaction levels of their customers. The Western Australia Police Service had the second highest (53.6%) contact rate, combined with the second highest very satisfied/satisfied respondents (82.9%) in the Nation.
- (2) Not applicable.

#### SCHOOLS - HIGH

##### *Albany - Work Experience Funding*

1952. Dr GALLOP to the Minister for Education:

- (1) Can the Minister confirm that the funding for support for work experience at the special education support centre at North Albany High School has been withdrawn?
- (2) How much funding was involved?
- (3) Will the withdrawal of this funding be reviewed?

Mr BARNETT replied:

- (1) Students with disabilities participating in post-compulsory education in 1993-1996 received funding from the Commonwealth Government through the Equity in Schools Transition to Work Program. The North Albany cluster of schools, from all sectors, used their funding to contract Great Southern Personnel to locate work placements and support students on work experience. From the outset, this program was funded for a specified time frame, three years, and as such it is incorrect to state that funding was withdrawn.
- (2) 1994/95: \$25,000  
1996: \$8,000
- (3) No.

#### SCHOOLS - HIGH

##### *Como Senior - Golf Program*

1955. Mr PENDAL to the Minister for Education:

- (1) Is the Minister aware of the successful and popular golf program offered at the Como Senior High School?



- (2) Is the Minister aware of the interest overseas in a Western Australian high school offering such a course to fee-paying overseas students?
- (3) If yes to (1) and (2) above, will the Minister request his department to look at prospects of obtaining the necessary registration with the Commonwealth Registrar of Institutions and Courses for Overseas Students?
- (4) Will the Minister undertake to report to the Legislative Assembly on the potential for this new fee-paying opportunity for Western Australia?

Mr BARNETT replied:

- (1) Yes. The Como Senior High School golf academy will open in 1998.
- (2) Yes. The Australian Institute of University studies has approached Como Senior High School to consider selecting international fee paying students for the golf academy.
- (3) Yes. The Education Department will investigate the prospects of obtaining the necessary registration with the Commonwealth Registrar of Institutions and Courses for Overseas Students and to determine whether a fee paying program is legal under the current Education Act 1928.
- (4) At such time that it is clear the golf program at Como Senior High School can attract overseas students, a media statement will be released.

#### POLICE - OFFICERS

##### *Building and Construction Industry Task Force - Secondment*

1958. Mr KOBELKE to the Minister for Police:

- (1) Further to answers provided to question on notice No. 1548 of 1997, prior to May 1996 were police officers involved in following up complaints or providing any form of support to the Building and Industry Taskforce and, if so, how many officers were involved and for what period of time?
- (2) Since January 1997 are police officers involved in following up complaints or providing any form of support to the Building and Industry Taskforce and, if so, how many officers are involved and for what period of time?

Mr DAY replied:

- (1) Prior to May 1996, the Major Fraud Squad did not provide any form of support to the Building and Construction Industry Task Force. In April 1995, the Major Fraud Squad concluded an investigation into a matter that was referred to it by the Building and Construction Industry Task Force.
- (2) A Detective Sergeant and a Detective assisted in the execution of a Section 711 search warrant and advice on procedures and legalities were given.

#### EDUCATION - LITERACY

##### *Percentage of Students with Problems*

1960. Dr CONSTABLE to the Minister for Education:

What percentage of -

- (a) primary; and
- (b) secondary,

students in Western Australia have identified literacy problems?

Mr BARNETT replied:

This information is not available at the system level. The needs of children with literacy problems are addressed at the school level. However, the Monitoring Standards in Education (MSE) English tests undertaken in 1995 by a sample of 17 500 Western Australian students in Years 3, 7 and 10 showed that about 10% of students are clearly performing at an unsatisfactory level in literacy. What constitutes an identified literacy problem is defined at the school level and varies from school to school. However, the National Benchmarking Taskforce, comprising all Australian States and Territories, is currently developing national benchmarks for student performance in the area of literacy and numeracy.

EDUCATION - BEHAVIOUR MANAGEMENT FRAMEWORK

*Trials*

1963. Dr CONSTABLE to the Minister for Education:

In relation to the Education Department trials to develop a behaviour management framework -

- (a) in how many schools were the trials conducted;
- (b) what were the outcomes of the trials;
- (c) what was the total budget allocated to the trials;
- (d) what percentage of -
  - (i) primary; and
  - (ii) secondary,

students have identified behavioural problems?

Mr BARNETT replied:

(a) 15 schools as follows:

Eastern Goldfields Senior High School  
O'Connor Primary School  
Kalgoorlie Primary School  
North Kalgoorlie Primary School  
South Kalgoorlie Primary School  
Yintarri Remote Community School  
Melville Senior High School  
Willagee Primary School  
Carawatha Primary School  
Melville Primary School  
Safety Bay Senior High School  
East Waikiki Primary School  
Malibu School  
Halls Creek District High School  
Cooloongup Primary School

(b) Outcomes of the trial were:

- revision of the Education Department's draft policy and support documentation;
- identification of support necessary to ensure effective implementation of the Department's draft policy and procedures.

(c) Total budget allocated to the trial was \$70,000. This included an allocation to publish, and distribute to schools, the Department's new behaviour management policy.

(d) The percentage of primary and secondary students with behaviour problems was not identified because schools were not required to report on this information.

EDUCATION - STUDENTS AT RISK

*Overarching Strategy*

1965. Dr CONSTABLE to the Minister for Education:

In relation to the overarching strategy to co-ordinate initiatives for specific groups of students at educational risk, the first stage of which is being prepared by the Education Department -

- (a) what further stages are there in the overarching strategy;
- (b) when will the overarching strategy be completed; and
- (c) what and where are the specific groups of students?

Mr BARNETT replied:

(a) The further stages, or focus areas, of the overarching strategy are:

- Policy Guidelines and Implementation Strategy;
- Retention and Participation Plan;
- Learning environment models;
- Literacy Strategy; and
- Improved service delivery models.

- (b) Development of the overarching strategy will be completed in 1997. Implementation will commence in 1998.
- (c) Students at educational risk are those students who are not achieving the major learning outcomes of schooling and who may be at risk of not developing the knowledge, skills and values necessary to achieve their individual potential and contribute to society. All students have the potential to be at educational risk and research has identified that approximately 20% of all students can be at educational risk at any given time.

#### SELECT COMMITTEE INTO CHILD MIGRATION - CONVERSION INTO HONORARY ROYAL COMMISSION

1969. Mr CARPENTER to the Premier:

- (1) Is the Premier aware of a report about the Select Committee into Child Migration on page 23 of the *Sunday Times* of 10 August 1997 written by Nick Taylor headed "Child Abuse Inquiry Stalls"?
- (2) Is the Premier aware that in that report a spokesperson for the Premier is quoted as saying "The Government has been considering the Report but no action has yet been made on any further action. In terms of the recommendations relation to the establishment of an honorary Royal Commission, the Department of Family and Children's Services indicate that this may not be the most effective course of action"?
- (3) Has such an indication been received from the Department of Family and Children's Services?
- (4) On what date was the indication of the Department of Family and Children's Services given?
- (5) Will the Premier table the indication?
- (6) Will the Premier assure the Legislative Assembly that the Department of Family and Children's Services has given only one indication as to the establishment of an honorary Royal Commission into Child Migration?
- (7) Did the Department of Family and Children's Services recommend any course of action alternative to the establishment of an honorary Royal Commission?
- (8) If so, will the Premier table that recommendation?
- (9) Has the Premier's Department received submissions or indications from any other organisation or person as to the establishment of an honorary Royal Commission into Child Migration?
- (10) If so, on what dates and from what persons or organisations were these submissions or indications received?

Mr COURT replied:

- (1)-(2) Yes.
- (3) Advice was received from the Minister for Family and Children's Services.
- (4)-(10) The member has my assurance that I received such advice and I do not propose to table any documents. The Government has received a number of representations on this matter and will consider all views in determining any future action. A British House of Commons Select Committee has recently announced that it will hold an inquiry into child migration. The Government will forward a copy of the Western Australian report to that Committee to assist with its deliberations.

#### SCHOOLS - AIRCONDITIONING

##### *Installation Cost*

1992. Dr CONSTABLE to the Minister for Education:

- (1) What percentage of schools have airconditioning?
- (2) What would it cost to install airconditioning in schools that do not have it?

Mr BARNETT replied:

- (1) 64% of schools are equipped wholly or partially with air-cooling.
- (2) Earlier this year, it was estimated that the cost of providing air-cooling in schools located in the metropolitan

area was approximately \$15 million. No detailed cost estimates are readily available for the provision of air-cooling in the remaining non-air-cooled schools which are located mainly in the wheatbelt and south-west areas of the State.

#### EDUCATION - TERTIARY ENTRANCE EXAMINATION

##### *Number of Students and Courses Undertaken*

2015. Dr CONSTABLE to the Minister for Education:

With reference to the changes to university entrance requirements how many Year 12 students are -

- (a) undertaking a tertiary entrance course of study;
- (b) studying a total of six subjects (TEE and/or non-TEE);
- (c) studying a total of five subjects; and
- (d) studying a total of four subjects?

Mr BARNETT replied:

According to the Curriculum Council database as at 8 September 1997:

- (a) 11,114 Year 12 students (out of a total of 18,880) are enrolled for four or more TEE subjects. This is the number of subjects which is normally sufficient for a Tertiary Entrance Score provided that the list and course requirements are satisfied.
- (b) 12,452 Year 12 students (out of a total of 18,880) are studying a total of six subjects (TEE and/or non-TEE). The number of students taking six or more subjects was 14,194.
- (c) 2,676 Year 12 students (out of a total of 18,880) are studying a total of five subjects (TEE and/or non-TEE).
- (d) 819 Year 12 students (out of a total of 18,880) are studying a total of four subjects (TEE and/or non-TEE).

#### EDUCATION - TERTIARY ENTRANCE EXAMINATION

##### *Subjects Dropped*

2016. Dr CONSTABLE to the Minister for Education:

With reference to changes to university entrance requirements -

- (a) which subject areas have been affected by students dropping subjects;
- (b) to what extent have subjects, referred to in (a) above, been affected?

Mr BARNETT replied:

- (a)-(b) While there is anecdotal evidence regarding the effect on subject areas, particularly non-TEE subject areas, as a result of changes to university entrance requirements, no data is yet available. In consultation with the Education Department of Western Australia, Catholic Education Office and Association of Independent Schools of Western Australia, the Curriculum Council is developing a survey to measure the nature of any effect. The survey has been distributed for completion by early November, after which time the results will be available.

#### INDUSTRIAL DEVELOPMENT - OAKAJEE

##### *Effect on Geraldton*

2017. Dr CONSTABLE to the Minister for Resources Development:

- (1) With regard to the proposed Oakajee industrial development, what, if any, surveys or consultation processes have been conducted to determine the views of Geraldton -
  - (a) residents; and
  - (b) industry,
 regarding the Oakajee development, and what was the outcome in each case?
- (2) What, if any, consideration has been given to the non-environmental impact of the development, including long-term planning issues, and the social and economic ramifications for Geraldton residents?

Mr BARNETT replied:

- (1) (a) The Government has undertaken a rigorous public consultation program to inform people in the Region of the project. 'Open days' and displays in shopping centres and at agricultural shows in the region have been met with interest. Polling of 1000 shoppers at the Northgate Shopping Centre revealed that 950 (95%) people supported the Oakajee Industrial Estate and Port development. The supporters believed that the development would bring a net benefit to the community in terms of employment, a stronger economy and a better quality of life.
- (b) Co-operative Bulk Handling (CBH) and RGC Mineral Sands have been consulted. Both have indicated that they have no interest in moving from their present facilities.
- (2) A structure plan has been prepared that considers planning issues related to the long term development of the Oakajee Industrial Estate. The plan provides flexibility for future industries locating at the site. It satisfies the requirements of the two industries, An Feng Kingstream Steel and Mt Gibson Iron, currently proposed for the site. In the long term, industries which may consider developing at Oakajee are expected to generate a significant number of new jobs. This will provide employment for people currently living in the region and will bring in new families. A review of the impacts of these various developments is currently underway to accommodate the expected increase in population in a way that will develop and enhance the city centre and urban environments.

#### EDUCATION - DEPARTMENT

##### *Guidelines for Teacher Competency*

2023. Dr CONSTABLE to the Minister for Education:

What specific criteria, procedures and guidelines are applied by EDWA to ensure that pre-primary, primary and secondary education in Western Australia is undertaken only by competent persons?

Mr BARNETT replied:

To ensure that pre-primary, primary and secondary education in Western Australia is undertaken only by competent persons the Education Department has specific criteria, procedures and guidelines which are used to determine eligibility and suitability of persons to teach in government schools. The Education Department requires teachers to have a minimum of three years tertiary level training from a recognised university before being regarded as eligible to be considered for employment as a teacher in Western Australian government schools.

Clause 7 of the Teachers' (Public Sector Primary and Secondary Education) Award 1993 requires the Education Department to deploy teachers according to the "employee's skill, competence and training". Specific procedures and guidelines for the determination of a person's suitability to teach include the following:

- all persons applying for employment with the Education Department as teachers must provide an Australian Federal Police clearance with their application for employment.
- any police clearances which show a conviction are reviewed by a committee of senior officers of the Department.
- the review of suitability is undertaken using an established set of criteria and persons convicted of serious offences including sexual assault or drug trafficking, are not employed.
- convictions for other offences are assessed having regard for a range of factors, for example, age when convicted, frequency of convictions, period since last conviction.
- persons who have worked or trained interstate, who have worked in the non-government sector in Western Australia or who have an unexplained gap in their employment will have their employment history checked to ensure there is nothing adverse recorded by previous employers.

Once employed, all teachers are subject to performance management to ensure appropriate levels of competency.

#### GOVERNMENT INSTRUMENTALITIES - INDEMNITIES

##### *Nature and Extent of Liability*

2049. Mr KOBELKE to the Minister representing the Minister for Transport:

- (1) Have any agencies or departments for which the Minister is responsible offered any form of indemnity or remain liable under any indemnity?

- (2) If any such indemnity has been offered then -
- (a) to whom has it been extended;
  - (b) what is the reason for the indemnity;
  - (c) what is the maximum potential liability that could be called on through this indemnity?

Mr OMODEI replied:

- (1) There are two sources of power for the Government to offer a guarantee or indemnity. They are either:
- (a) offered pursuant to a specific statutory power to do so, in which case they are characterised as a Statutory Guarantee or Indemnity or,
  - (b) if there is no specific statutory provision, the guarantee or indemnity is referred to as a Surety.

Some common guarantees and indemnities, generally those which are not offered pursuant to a statute, referred to above as "sureties", are:

- (c) incidental to another function, such as the purchase of a good or service (for example a contract where the purchaser indemnifies the supplier of software against any unauthorised use of that software or a contract for advertising where the advertiser indemnifies the publisher against legal action arising out of the publication of the advertisement) or,
- (d) granted to persons or officers in the performance of their duties for the State or for any public authority or public body of the State (some of which are statutory).

All Statutory Indemnities, Guarantees and Sureties which are either (c) or (d) are excluded from the operation of Treasurer's Instruction 821 (TI 821).

TI 821 requires all indemnities and guarantees which are not of the excluded types, statutory and otherwise, to be entered in a register. They are then included in the Treasurer's Annual Statements which are tabled in Parliament. For details of all such guarantees and indemnities as at 30 June 1996 see the Treasurer's Annual Statements 1995-96. TI 821 does not apply to indemnities falling within (c) and (d). This is appropriate as the nature of these indemnities means that they arise as part of the everyday affairs of government.

- (2) Researching contracts entered into in order to ascertain whether there is an incidental indemnity in each contract would be an unreasonable diversion of resources. It would also not be a particularly useful exercise because:
- (a) in many instances the contract has already been successfully completed;
  - (b) circumstances surrounding a contract and an arising claim may give rise to an implied obligation to indemnify even where there is no express obligation; and
  - (c) it would be impossible to state any maximum potential liability.

#### EDUCATION - TOM PRICE

##### *Isolated Children's Allowance - Eligibility*

2058. Dr GALLOP to the Minister for Education:

- (1) Is the Minister aware that parents of Years 11 and 12 students living in Tom Price who need to send their children to Perth to study because of the restrictive choice of subjects at the local High School, are not eligible for the isolated children's allowance or Austudy?
- (2) If yes, will the Minister review this situation?

Mr BARNETT replied:

- (1) Students from Tom Price and Paraburdoo attend Tom Price Senior High School. With the use of telematics and the School of Isolated and Distance Education, subject choice is as wide as that available in most senior high schools. It is Commonwealth Government policy which stipulates parents' eligibility for the isolated children's allowance based on the location of a senior high school. Austudy is a means tested allowance provided by the Commonwealth Government.
- (2) This matter is not one within the jurisdiction of the State Government.

## SCHOOLS - FINANCIAL AUTONOMY

*Competence of Principals and Parent Bodies*

2059. Dr GALLOP to the Minister for Education:

Under the proposed Education Act schools will be given a great degree of financial autonomy and responsibility, consequently -

- (a) what steps is the Minister taking to ensure that -
  - (i) principals and parent bodies are equipped with the skills (and time) to ensure confidence in their financial management; and
  - (ii) they have the capacity to meet the required level of accountability; and
- (b) when will the regulations associated with the new Act be available to parents and teachers?

Mr BARNETT replied:

- (1) The draft School Education Bill is subject to review and possible amendment in the light of public comment on the Bill, which is currently being processed.
- (a) School principals are already, and will continue to be, subject to the accountability requirements of the *Financial Administration and Audit Act 1985*. The Education Department provides policy and administrative direction and support in financial management. Preliminary discussions are under way between the Education Department and the Western Australian Council of State School Organisations concerning the provision of support for parent representatives on School Councils or School Decision Making Groups. The extent to which any School Council will be granted autonomy in financial matters is limited at clauses 119, 120 and 121 of the Bill. The standards to be used by the Minister in approving increased financial responsibility are still to be determined.
- (b) The regulations associated with the Bill will be developed during the first half of 1998. They will be made available for public comment before being presented to Parliament.

## EDUCATION - TEACHERS

*Appointment as Truancy Officers*

2060. Dr GALLOP to the Minister for Education:

- (1) Is the Minister aware that teachers are concerned that under the proposed Education Act they may be appointed as "truancy officers" in schools where there is no welfare officer?
- (2) Will the Minister give his assurance to teachers that this will not be the case?

Mr BARNETT replied:

- (1) Clause 40 of the draft School Education Bill makes provision for the appointment of School Attendance Officers. The provision is subject to review and possible amendment in the light of public comment on the Bill, which is currently being processed.
- (2) There is no intention to make a general designation of members of the teaching staff as School Attendance Officers. In general, School Attendance Officers will be public sector employees who are not teachers. Allowance has been made in the Bill for members of the teaching staff of a government or non-government school to be given the legal authority to perform this role in extreme circumstances. Two types of situations were envisaged in the drafting. The first is where access to a welfare officer (as currently designated) is not readily available - this could typically occur in rural and remote locations. The second is where a teacher undertakes a community liaison role within a school and may interact with school aged children away from the school site.

## WESTERN POWER - COUNTRY TOWNS

*Reduction of Staff*

2065. Dr GALLOP to the Minister for Energy:

- (1) In which country towns of Western Australia has the number of Western Power employees been reduced since January 1993?

- (2) What are the comparative number of staff in each of those towns for the years 1993-94 versus 1997-98?
- (3) What assessment has been made of the economic and social impact these reductions have had on each town?

Mr BARNETT replied:

- (1)-(2) Western Power did not exist in 1993/94, until 1 January 1995 the State energy utility was SECWA. After 1 January 1995 SECWA was split into Western Power and AlintaGas with some functions and staff being transferred to the Office of Energy. Consequently valid comparisons between SECWA staff numbers and Western Power staff numbers cannot be drawn.
- (3) Given that valid comparisons cannot be reached between SECWA staff numbers and Western Power staff numbers, analysis of the impacts of changes in numbers has not been undertaken.

#### SCHOOLS - PRIMARY

##### *Guildford - Conservation and Preferred Plans*

2073. Mrs ROBERTS to the Minister for Education:

- (1) Will the Minister consider instructing the Education Department to refer the "Conservation Plan" (Parents and Citizens option) and the Education Department's preferred plan for Guildford Primary School to the Heritage Council for comment?
- (2) If not, why not?

Mr BARNETT replied:

- (1) Yes. Both plans have been referred to the Heritage Council of WA for comment. At present, the Education Department is awaiting receipt of that advice.
- (2) Not applicable.

#### POLICE - WYNDHAM LOCKUP

##### *Supervision of Prisoners*

2075. Mrs ROBERTS to the Minister for Police:

- (1) Will the Minister please advise the circumstances regarding prisoners at Wyndham police lockup, who are left in detention without any means of assistance between 2400 hours and 0800 hours when the officer in charge is not in residence?
- (2) What action is expected to protect prisoners from injury or medical emergencies?
- (3) Is the lack of supervision in keeping with the recommendations relating to the 1991 Royal Commission into Aboriginal Deaths in Custody?

Mr DAY replied:

- (1) Between 2400 hours and 0800 hours when there is no resident Officer in Charge, the relieving Officer in Charge does not permit prisoners to be retained in the lockup without a staff member being on duty.
- (2)
  - summonsed instead of arrested
  - released to bail prior to the staff completing their shift
  - released (if detainee)
  - all prisoners are screened and prisoners considered to be at risk who cannot be released are:  
  
transferred to another lockup or to Broome Prison where constant supervision can be undertaken.  
  
Guarded or supervised by Wyndham staff on overtime until they can be transferred or are eligible for release.  
  
There are two safe cells at the Wyndham lockup which are utilised to reduce the likelihood of incidents occurring even when staff are in attendance.
- (3) As there is no lack of supervision, there is no breach of the recommendations relating to the 1991 Royal Commission into Aboriginal Deaths in Custody.



## SCHOOLS - PRIMARY

*Guildford - Philip McAllister Architect Pty Ltd*

2076. Mrs ROBERTS to the Minister for Education:

- (1) Will the Minister advise what amount of money was paid to Philip McAllister Architect Pty Ltd for Guildford Primary School master plan?
- (2) What consideration is being taken of the parents and citizens plan?
- (3) How will a decision on which plan will be adopted be arrived at and when will a decision be made?

Mr BARNETT replied:

- (1) An amount of \$2,313 has been paid to Philip McAllister Architect Pty Ltd for the preparation of a master plan for Guildford Primary School.
- (2)-(3) Both the master plan prepared by Philip McAllister Architect Pty Ltd and the plan preferred by the Parents and Citizens' Association have been referred to the Heritage Council of WA for comment. Upon receipt of that advice, discussions will be resumed with representatives of the Parents and Citizens' Association with the view to reaching a decision on the matter as soon as possible. It is understood, however, that a resolution, indicating a preference to defer the construction of a covered assembly area until a major upgrade project is undertaken at the school, was passed at a recent meeting of the Parents and Citizens' Association.

## SCHOOLS - PRIMARY

*Numeracy Skills of Students*

2081. Mr McGINTY to the Minister for Education:

- (1) Do the standards of numeracy and mathematical ability shown by students in Government primary schools meet Government targets?
- (2) What research shows the levels being achieved by Western Australian primary school children and what does that research show?
- (3) What initiatives has the Government undertaken to raise numeracy skills among primary school children?

Mr BARNETT replied:

- (1) The majority of students in government schools do achieve the levels specified for Year 3 and Year 7 of the Monitoring Standards in Education (MSE) testing cycle. The results of MSE testing are reported in terms of the student outcome statements in mathematics at level 2 in Year 3. The 1992 MSE report indicated that 76% of Year 3 students were achieving at or above level 2 and 84% of Year 7 students were achieving at or above level 3. The results of the 1996 tests will be available in November 1997. Through the National Benchmarking Taskforce, Western Australia is working with all other States and Territories to develop agreed benchmarks for student performance in literacy and numeracy.
- (2) The Third International Mathematics and Science Study conducted a comparative study of mathematics and science in 45 countries including Australia. Testing was carried out in Australia across all States and Territories, late in 1994. Western Australia was ahead of all other States in both mathematics and science. Western Australian students' performance was ranked sixth in the world in mathematics and first in the world in science. They maintained their above average performance across all content areas, performing significantly better in 'fractions' than the Australian average.
- (3) The major initiatives are:  

The First Steps in Mathematics Project and Curriculum Improvement Program.

The First Steps in Mathematics Project is developing curriculum support materials and has conducted research in schools for the development of learning continua.

The Curriculum Improvement Program will allow schools to demonstrate change over time and generate comparative data to monitor school performance.

## ROADS - READ STREET, ROCKINGHAM

*Reduction of Speed Limit outside School*

2083. Mr McGOWAN to the Minister representing the Minister for Transport:

- (1) Will the Government reduce the speed limit on Read Street outside Rockingham Senior High School?
- (2) Does the Government recognise that the existing 70 km/h speed limit on Read Street, outside Rockingham Senior High School, is too fast?
- (3) If the Government does not intend to reduce the speed limit, why not?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1)-(3) As the member will appreciate, there are two guard controlled crossings each with two attendants for children crossing Read Street at the High School. This provides a high level of safety for children. However, traffic volumes are being examined as part of a further review to establish any additional improvements that may be appropriate to ensure the safety of school children.

## POLICE - CHILD ABUSE

*Reports - Training of Officers*

2087. Dr CONSTABLE to the Minister for Police:

- (1) In each of the last five years, how many reports of child sexual, and other, abuse were made other than to the Police Child Abuse Unit?
- (2) Do all police officers receive specific training for dealing with allegations of child sexual abuse?

Mr DAY replied:

- (1) Child abuse statistics are collated on a state wide basis and therefore include matters reported directly to the Crime Operations Child Abuse Unit. The number of child sexual and assault offences reported to Police in Western Australia are:

	1992/93	1993/94	1994/95	1995/96	1996/97
Sexual Assault	3084	2141	2016	1708	1438
Assaults	2525	3099	3578	3259	2326

- (2) All officers attached to the Child Abuse Unit receive the following training:

- \* Applied Policing courses;
- \* Detective Training School courses;
- \* Interviewing Officer's Course conducted by the Detective Training School;
- \* Formalised intense 3 day orientation course conducted by staff at the Child Abuse Unit;
- \* continual 'on the job' training from senior staff;
- \* continual coaching and mentoring; and
- \* other relevant inter-agency training sessions/conferences as available.

All detectives receive training on investigating child abuse matters when completing detective training courses.

Female officers are seconded to the Child Abuse Unit for periods of up to 12 months to gain experience in interviewing victims of child abuse. On the completion of their secondment these personnel return to their stations of origin where they can be called upon to provide assistance in investigations involving child abuse.

## EDUCATION - ACT

*Section 7C Inquiries*

2088. Dr CONSTABLE to the Minister for Education:

In each of the last five years, in respect of inquiries conducted under section 7C of the Education Act 1928 -

- (a) how many inquiries have been conducted;
- (b) what was the outcome of each inquiry;
- (c) what was the position of each person who conducted the inquiry; and
- (d) what was the cost of each inquiry?

Mr BARNETT replied:

- (a) There have been 66 Section 7C inquiries conducted since August 1992 of which 14 are still on-going.
- (b) The outcome of each inquiry was:
 

19	Not guilty of misconduct
5	Resigned before verdict
10	Reprimanded
3	Fined
4	Transferred at own expense
2	Reduced one salary increment
9	Dismissed
- (c) These inquiries have been undertaken primarily by District Superintendents, and occasionally by retired Superintendents.
- (d) The cost of each individual inquiry cannot be calculated as the investigative function forms part of the Superintendent's responsibilities. The cost of each investigation varies due to a number of factors (i.e. nature of the allegations against the teacher, the location, whether legal advice is required). As the salaries of the investigating officers and other Education Department staff are incurred regardless of the number of inquiries, as are the salaries of legal officers at the Crown Solicitor's Office, no breakdown of cost is available.

#### RAILWAYS - WESTRAIL

##### *Video Cameras - Clarity of Image*

2091. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Have video cameras been installed on Westrail trains?
- (2) Have there been incidents where the video cameras have recorded instances where the identity of the culprit could not be ascertained as a consequence of the video tape not recording a clear image?
- (3) Do all of the cameras used by Westrail provide a sufficiently clear image that permits those recorded on film to be identified?
- (4) Has the Government and/or Westrail commenced examining the type of cameras that need to be installed on trains to provide a picture of sufficient clarity which enables people filmed by the video to be identified?
- (5) If so, what progress has been made?
- (6) Will the Government/Westrail install new video cameras which record a clear image of those filmed?
- (7) If so, when?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

I presume the member is referring to suburban passenger trains and my answer is provided on that basis.

- (1)-(2) Yes.
- (3)-(7) The electric trains were introduced by the Labor Government with a camera fitted at only one end of rail cars which sometimes results in a reduction or loss of image quality when the subject matter is at the opposite end of the railcar. To overcome this problem, Westrail is looking at installing additional cameras so that the interiors of all railcars have a camera at each end. The interior of railcars currently have cameras fitted that normally provide an image that is sufficiently clear for use in evidence and identification. However to ensure an even better quality an upgrading is occurring. New railcars on order and due for delivery in late 1998 will have a camera installed at each end of the interiors and it is anticipated that an additional camera will also be fitted to each of the existing railcars by late 1998.

CRIME - PREVENTION

*Distribution of Material to Homes*

2093. Mr BROWN to the Minister for Police:

- (1) Has the Government taken any action to advise companies and agents that distribute material to domestic houses, that as a crime prevention measure, it is unwise to leave material at the front door of residences?
- (2) Will the Government, through its crime prevention agencies, recommend to distributors that information left at domestic residences be left in the letterbox if it is unable to be handed directly to the resident concerned?

Mr DAY replied:

- (1) Yes. This strategy is one of the fundamental home security measures promoted through the network of crime prevention officers statewide. The message is distributed through Neighbourhood Watch groups who are vigilant in identifying and reporting this practice if observed.
- (2) Yes. This strategy is fully supported and promoted as the preferred method for distributing material to homes. Contact has been made with WA Chamber of Commerce and Industry and Retail Traders Association to reinforce this policy through their monthly newsletter to members called 'Over the Counter'.

SCHOOLS - PRIMARY

*Bentley - Four Year Old Program*

2096. Dr GALLOP to the Minister for Education:

- (1) Does the Government intend to establish a 4 year old program at Bentley Primary School?
- (2) If yes, when is it envisaged to commence?

Mr BARNETT replied:

- (1) Programs for four year old children in the Bentley area are offered through Bentley Pre-school and Wilson Primary School. A program for four year old children will be established at Bentley Primary School if the Bentley Pre-school chooses to transfer to the management of the Bentley Primary School.
- (2) Not applicable.

PORTS AND HARBOURS - PORT HEDLAND

*Community Attitudes Survey*

2097. Mr GRAHAM to the Minister representing the Minister for Transport:

- (1) Was a survey conducted into community attitudes to developing a new harbour complex in Port Hedland?
- (2) If yes to (1) above -
  - (a) when was the survey conducted;
  - (b) who conducted the survey;
  - (c) what was the cost of the survey;
  - (d) what was the result of the survey;
  - (e) what action was taken as a result of the survey;
  - (f) will the Minister provide a copy of the results of the survey?

Mr OMODEI replied:

- (1) Yes.
- (2)
  - (a) May 1996.
  - (b) Transport, via a letter drop (questionnaire by the Australian Bureau of Statistics) on behalf of the Port Hedland Boat Harbour Steering Committee.
  - (c) \$2380 (printing \$680, questionnaire design \$500, data analysis \$1200).
  - (d) Response to proposal was generally supportive.

- (e) Additional feedback to the proposal was sought at a public meeting in October 1996 in the offices of the Town of Port Hedland.
- (f) Yes.

#### POLICE - AIR WING

##### *Location and Budget*

2099. Mr GRAHAM to the Minister for Police:

- (1) Where is the police air wing located?
- (2) How many officers comprise the police air wing in each location?
- (3) What is the total operational budget for the police air wing for -
  - (a) 1993-94;
  - (b) 1994-95;
  - (c) 1995-96;
  - (d) 1996-97;
  - (e) 1997-98?
- (4) What is the forward estimated operational budget for the police air wing for -
  - (a) 1998-99;
  - (b) 1999-2000?

Mr DAY replied:

- (1) Jandakot airport with sub-bases at Kalgoorlie and Karratha.
- (2) Total of 15 sworn officers and 3 unsworn officers at Jandakot. 2 sworn officers at Kalgoorlie and 2 sworn officers at Karratha.
- (3)
 

(a)	1993/94	\$1,252,366	
(b)	1994/95	\$1,066,136	
(c)	1995/96	\$1,248,681	
(d)	1996/97	\$1,398,057	
(e)	1997/98	\$ 892,000	has been allocated, however, this does not include equipment funding which has not been finalised at this time.
- (4) The forward estimate for the budget for the Air Support Unit is as follows:
 

(a)	1998/99	\$1,400,000	
(b)	1999/2000	\$1,550,000	

#### POLICE - AIR WING

##### *Reduced Operations*

2100. Mr GRAHAM to the Minister for Police:

- (1) Is consideration being given to reducing the operations of the police air wing?
- (2) If yes to (1) above -
  - (a) in what way are the operations to be reduced;
  - (b) from what date will the reductions take place?

Mr DAY replied:

- (1) As announced by the Western Australia Police Service on 1 July 1997, the Police Service is currently examining the operations of the Air Support Unit with a view to focus on core business and enhance those operations.
- (2) (a) As a result of a review of the Air Support Unit, Police Service Command has tasked an Implementation Committee to determine the non-core functions, such as transport of personnel and prisoners, which are to be shed. If determined to be a viable option, it is intended that non-core functions be discontinued for the purpose of focusing attention and resources on core activities, such as land, sea and air search and rescue operations. Consequently, it is envisaged that four

fixed wing aircraft that are primarily used for transportation will be sold and the functions outsourced.

- (b) No date has yet been determined. The viability of outsourcing options and the ability of potential service providers to meet Western Australia Police Service requirements is still subject to consideration by the Implementation Committee. In the event that outsourcing fixed wing activities does not identify options for enhanced efficiency, they will not be implemented.

#### ROADS - READ STREET, ROCKINGHAM

##### *School Zone Speed Limit*

2112. Mr McGOWAN to the Minister representing the Minister for Transport:

- (1) Will the Minister reduce the speed limit on Read Street Rockingham outside Rockingham Senior High School in accordance with the policy imposed at other schools?
- (2) If not, why not?
- (3) Are students' lives being endangered because the speed limit has not been reduced on this stretch of road?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1)-(3) I refer the member to the response to Question on Notice 2083.

#### SCHOOLS - MALIBU SPECIAL

##### *Demountable Classroom*

2114. Mr McGOWAN to the Minister for Education:

- (1) Does Malibu Special School Rockingham need a demountable classroom?
- (2) Would a demountable classroom allow for specialist services such as physiotherapist, speech therapist and occupational therapist to be conducted in that classroom?
- (3) Is there a need for additional speech therapy, occupational therapy and physiotherapy services at Malibu Special School in accordance with the growth of the school?
- (4) Is there a need for an additional building as a time out building for students in violent or confrontational situations?
- (5) Will the Government be examining the situation at Malibu school with regards to improving the situation?

Mr BARNETT replied:

- (1) Malibu School has requested an alternative classroom be provided for the growing number of students with extreme social and behavioural problems. These students have severe intellectual disabilities and very little ability to communicate their needs or to understand communications from others. Personnel at the school believe they need an area that they can go to that provides them with the personal space they require and educational activities that they are able to cope with at that time.
- (2) Malibu School has presented a capital works submission which includes a specialist therapy area and a conference room where therapists, teachers, medical staff and assistants may collaboratively plan. The school's personnel do not believe that therapy should be provided in a room being used by students in an emotional and volatile state.
- (3) Malibu School personnel believe they require a significant increase in therapy time. Currently Malibu School has a physiotherapist, occupational therapist and speech pathologist three times per week and 25 hours of therapy aide time. This therapy ratio is a historical one based on Malibu School's student population several years ago. The school must apply to the School Age Therapy Service funded by the Disability Services Commission for a review of current levels of resourcing.
- (4) The Malibu School personnel, as indicated in answer (1), have put in a request to the Education Department for a demountable classroom. The school has indicated they would like to use this for time out purposes.
- (5) The school's application to the Education Department will be considered along with other applications for

Capital Works. The request has only recently been received, on 28 August 1997, and applications have not yet been assessed.

## CORRUPTION - ANTI-CORRUPTION COMMISSION

### *Operations*

2144. Mrs ROBERTS to the Premier:

- (1) Is the Anti-Corruption Commission (ACC) working and operating as required by the Government?
- (2) Does the Premier propose to change the secrecy provisions relating to the operations of the ACC?
- (3) Who is the ACC responsible to?
- (4) What aspects of the ACC's activities is the Parliament's Standing Committee on the Anti-Corruption Commission not privy to and why?

Mr COURT replied:

- (1) The Anti-Corruption Commission ("ACC") is an independent body established by Parliament under the *Anti-Corruption Commission Act 1988*. The ACC is responsible for ensuring that the requirements of the Act are met.
- (2) There are no present proposals to change the secrecy provisions relating to the operations of the ACC. The Supreme Court is expected to consider section 54 of the *Anti-Corruption Commission Act* in its judgment on proceedings presently before the Court.
- (3) The ACC is established as an independent body with powers to investigate allegations of corruption, criminal conduct, criminal involvement and serious improper conduct. The members of the ACC are appointed by the Governor in accordance with the recommendation of a committee consisting of the Chief Justice, the Chief Judge of the District Court and the Solicitor General. It has power to report on investigations to each House of Parliament, the Minister or another Minister, or the Joint Standing Committee. It is required to provide an annual report under the *Financial Administration and Audit Act 1985* which is to include statistical information about allegations of corrupt conduct, criminal conduct, criminal involvement and serious improper conduct. Rules of Parliament under section 56 of the *Anti-Corruption Commission Act* may require the ACC to report to each House of Parliament or the Joint Standing Committee as and when prescribed in the Rules as to the general activities and operations of the ACC.
- (4) The resolution by which the Legislative Assembly and the Legislative Council established the Joint Standing Committee on the Anti-Corruption Commission provided that:
  - (2) The Joint Standing Committee shall not -
    - (a) investigate a matter relating to particular information received by the Anti-Corruption Commission or particular conduct or involvement considered by the Anti-Corruption Commission;
    - (b) reconsider a decision made or action taken by the Anti-Corruption Commission in the performance of its functions in relation to particular information received or particular conduct or involvement considered by the Anti-Corruption Commission; or
    - (c) have access to detailed operational information or become involved in operational matters.

## POLICE - COMMISSIONER

### *Mr Bob Falconer - Extension of Contract*

2145. Mrs ROBERTS to the Minister for Police:

- (1) What date was Mr Bob Falconer appointed to the position of Commissioner of Police in Western Australia?
- (2) On what date will Mr Falconer's contract expire?
- (3) Has Mr Falconer asked for any consideration for his contract to be extended beyond its termination date?

- (4) If so, what consideration is being given?

Mr DAY replied:

- (1) 20 June 1994.
- (2) 10 July, 1999.
- (3) Yes.
- (4) The Government is currently considering the request in light of the significant and successful changes made within the Police Service, particularly the positive impact of the Delta Program.

#### SCHOOLS - PSYCHOLOGISTS

##### *Number*

2152. Dr CONSTABLE to the Minister for Education:

- (1) How many school psychologists have been allocated to each district for the 1997 year?
- (2) What is the school psychologist to student ratio in each district?

Mr BARNETT replied:

(1)-(2)

DISTRICT 1997	PSYCHOLOGISTS	PSYCH/STUDENT RATIO
Albany	6.4	1:1237
Bunbury (North and South)	10.8	1:1404
Esperance	4.0	1:0830
Geraldton (North and South)	8.0	1:1169
Hedland	4.0	1:0960
Goldfields	4.0	1:1668
Karratha	4.0	1:1259
Kimberley	5.0	1:0882
Manjimup	3.0	1:1097
Moora	2.25	1:1270
Merredin	2.20	1:1001
Narrogin	4.25	1:1011
Northam	5.5	1:1362
Peel	12.0	1:1530
Cannington (Armadale, Perth South and Thornlie)	21.4	1:1454
Beechboro (Alexander, Bayswater and Darling Range)	28.5	1:1405
Beaconsfield (Cockburn, Melville and Willetton)	23.4	1:1595
Hillarys (Joondalup, Scarborough and Whitfords)	27.7	1:1395
Swanbourne	7.8	1:1396

#### SCHOOLS - PSYCHOLOGISTS

##### *Ratio to Students*

2153. Dr CONSTABLE to the Minister for Education:

- (1) What was the total school psychologist to student ratio in each of the last five years?
- (2) What is the total school psychologist to student ratio for the current year?

Mr BARNETT replied:

(1)-(2) The total school psychologist to student ratio is as follows:

1992	1:1319
1993	1:1300
1994	1:1312
1995	1:1293
1996	1:1329
1997	1:1294



## SCHOOLS - PSYCHOLOGISTS

*Restructuring of Service*

2154. Mr RIPPER to the Minister for Education:

- (1) Does the Department of Education plan a major restructuring of the school psychology service?
- (2) If yes, when will this occur?
- (3) Under the restructuring, will no psychologists from within the Department of Education and outside the department having no experience in educational psychology be able to apply for senior management positions?
- (4) Is it true that the ratio of school psychologist to student will be reduced from one per 1300 students to one per 2000 students?

Mr BARNETT replied:

- (1) The Education Department of Western Australia is currently establishing Student Support Teams in Districts. Members of these teams will be school psychologists.
- (2) Implementation of District Based Student Service Teams will take place at the beginning of the 1998 school year.
- (3) The selection criteria for the Senior Management positions on Student Service Teams will require appropriate academic qualifications and backgrounds for the positions. The following organisations have been consulted in the development of key selection criteria for these positions: Western Australian Council of State School Organisations, Western Australian Primary and Secondary Principals Associations, Association of Senior Psychologists, School Psychologists Association and the State School Teachers' Union.
- (4) The ratio of psychologists to school students, although yet to be finalised, will be approximately 1:1350, which is comparable with previous years. This allocation compares favourably with other states of Australia, and the western world generally. The misinterpretation that the ratio would be 1:2000 stems from the formula used to allocate staffing budgets to District Offices. This ratio represents a mechanism for the base allocation of direct support for school students in each district, which in turn makes up part of the staffing allocation formula. Districts allocate their staffing budgets according to their own needs and priorities.

## WESTERN POWER - LAWLER STREET, SOUTH PERTH

*Easement*

2161. Mr PENDAL to the Minister for Energy:

- (1) I refer to a demand by Western Power to require landowners in Lawler Street, South Perth, to provide an easement to protect its 66 kV transmission line and ask, has the demand for the easement been made of other property-owners in this street?
- (2) If not, why not?
- (3) Why is an easement sought, in view of the fact that the line is located in a 20-metre wide road reserve?
- (4) Is it correct that a property officer with the Western Power easement transmission projects has stated that the easement was required due to possible adverse effects on people's health?
- (5) What is the nature of these effects or risks?
- (6) Will the Minister table the full policy document of Western Power, and outline why a 6.5 metre easement is needed, given its impact on blocks which are only 12 metres wide and 25 metres deep?

Mr BARNETT replied:

I am advised:

- (1) Yes, other owners who have sought to subdivide in Lawler Street have had an easement condition placed on their planning approvals.

- (2) See above.
- (3) The centre line of this 66kV transmission line is located 2.7 metres from the front property line of the subject land. The width of the easement on the property side of the line is a total of 6.5m of which 2.7m, is in the road reserve and 3.8m is within the subject land.
- (4) The easement is secured to ensure that the construction of buildings such as dwellings, garages, carports, and swimming pools comply with the safety clearances to the transmission line. Easement widths are not determined by any issue related to electromagnetic fields (EMF).

EMFs are present in all electrical cables and equipment (including household wiring and appliances). Western Power operates its transmission lines well within the limits set by the National Health & Medical Research Council of Australia, who in turn have adopted the limits set by the World Health Organisation. Western Power has prepared a position paper on EMFs, and this paper is tabled. [See paper No 876.]

- (5) None have been positively identified.
- (6) Western Power is required to comply with Australian Standards in relation to safe clearances to transmission lines and one method of achieving and maintaining these margins is by way of easements. Required clearances depend upon the voltage of the line, type of construction and the span between poles, and these are the factors which determine easement widths, which in Western Australia vary from 13 to 60m for single circuit transmission lines.

The issue of safety is paramount, and as residential blocks become smaller, and building codes in relation to building set-backs are relaxed, the need to alert the public and those involved in building approvals to safety requirements needs to be reinforced by the establishment of easements wherever subdivision occurs. Western Power is also aware that the restrictions imposed by easements may, in some cases, require owners and developers to amend proposed plans to ensure safety margins are not compromised. It has, therefore, limited the width of easements as much as possible.

#### EDUCATION - THORNLIE EDUCATION DISTRICT

##### *Transfers by Primary Teachers*

2164. Ms McHALE to the Minister for Education:

- (1) Is the Minister aware that of 15 metropolitan education districts, the Thornlie district ranks second on the list of least preferred districts for transfers by primary teachers?
- (2) Can the Minister explain what factors might be attributed to this?
- (3) Given the Government's push for individual school staffing appointments and given the above, what will be the impact of this policy on schools in the Thornlie Education District?
- (4) What assurances can the Minister give that schools in the Thornlie District will continue to be staffed with quality teachers?

Mr BARNETT replied:

- (1) Yes. I provided the statistics to which the member refers in response to Legislative Council Question on Notice 269 from Hon Tom Stephens.
- (2) The Education Department has not conducted any research regarding teacher preference in listing transfer choices.
- (3) Given the current oversupply of primary school teachers it is not envisaged that any metropolitan education district will have difficulty attracting applicants for teaching positions should they opt for local merit selection.
- (4) As indicated in (3), schools in the Thornlie area (now part of the Cannington District) should expect no difficulty in attracting high quality primary teachers. All teachers must satisfy basic employment requirements and undergo ongoing performance management to ensure quality outcomes for students.

## EDUCATION - 16 AND 17 YEAR OLDS

*Number in Full-time Education*

2166. Ms ANWYL to the Minister for Education:

- (1) I refer to the Federal Government's initiative to ensure 16 and 17 year olds remain in full time education or training and ask, how many 16 and 17 year olds are currently in full time education in Western Australian schools?
- (2) Will the compulsory training requirement increase the number of young people in full time secondary education?
- (3) What research will be done by the Department of Education to determine trends arriving out of the federal policy change?
- (4) What is the cost per head of providing secondary education to a child in Year 11 and Year 12 in a Government school for one year?

Mr BARNETT replied:

- (1) 18 565 students as at 1 July 1996. The census preliminary figure at 1 July 1997 is 19 380.
- (2) Yes, this is expected to be the case.
- (3) Research has already commenced. Research includes estimates of additional student placements that are anticipated, the cost of these placements and the best forms of curriculum delivery for these students. The research has been cross checked with similar work being undertaken in other States. The research will continue as the financial commitment of the Commonwealth government becomes clearer.
- (4) Annual cost per head of providing secondary education in government schools is \$6 142. There is no breakdown of this figure by year levels.

## GOVERNMENT INSTRUMENTALITIES - NORTH WEST

*Employees and Programs*

2184. Mr GRAHAM to the Minister for Resources Development; Energy; Education:

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

Mr BARNETT replied:

AlintaGas

- (1) Of the towns nominated, AlintaGas staff are located only at Karratha.
- (2) AlintaGas is not part of the public service and does not classify its staff in accordance with public service standards. The classifications of staff employed are as follows -  
Pipeline Mechanical Officers

Supervisor North West Maintenance  
 Business Services Officer  
 Pipeline Facilities Officer  
 Pipeline Civil Officer

(3) Nil.

#### Western Power Corporation

- (1) Western Power has 23 employees in Port Hedland and 20 employees in Karratha. No staff are located in the other towns listed.
- (2) Western Power is not part of the public service and does not classify its staff in accordance with public service standards.
- (3) In those towns where Western Power has a presence it is concerned with the electricity supply and its associated energy services.

#### Department of Resources Development

- (1) Nil.
- (2) Not applicable.
- (3) South Hedland Enhancement Scheme.

#### Office of Energy

- (1) Senior Electrical Inspector based in Karratha.
- (2) Level 5.
- (3) Senior Electrical Inspector, based in Karratha, carrying out mines electrical inspection and other regulatory inspection activities in the Pilbara, as part of the Electrical Standards and Safety Sub Program under the Energy Coordination Program.

#### Department of Education Services

- (1) There are no staff located in the towns listed.
- (2) Not applicable.
- (3) There are no programs in the towns listed.

#### Curriculum Council

- (1) There are no staff located in the towns listed.
- (2) Not applicable.
- (3) There are no programs in the towns listed.

#### Education Department of Western Australia

(1)(a) Port Hedland (Primary)

Teaching Staff	
Principal	1 x Level 5
Principal	2 x Level 3
Deputy Principal	2 x Level 3
Teachers	21.7 x Level 1 and Level 2
Teaching Staff (Aboriginal Education)	
Teachers (Aboriginal Pre-Schools)	1.6 x Level 1 and Level 2
Aboriginal Ed. Support Teachers	1 x Level 2
Non-teaching Staff (Education Support)	
Teachers Aide	1 x Level 4
Teachers Aide	2 x Level 2
Non-teaching Staff	
Officers	2 x Level 2
Officers	2 x Level 1
Teachers Aide	1 x Level 4

Teachers Aide	1 x Level 1
Aboriginal Education Workers	1 x Level 3
Cleaners	1 x Level 3
Cleaners	2 x Level 2
Gardeners	1 x Level 3
(b) South Hedland (Secondary)	
Teaching Staff	
Principal	1 x Level 6
Deputy Principal	2 x Level 4
Head of Department	5 x Level 3
Teachers	54 x Level 1 & 2
Non-Teaching Staff	
Public Servant	1 x Level 4
Officers	7 x Level 1
Gardener	1 x Level 5
	1 x Level 2
Home Economics Assistants	2 x Level 3
Teacher Aide Ethnic	1 x Level 4
District Office	
Administration Staff	
District Officer	1 x Level 4
Administrative Assistant	1 x Level 2
Clerical Officer	1 x Level 1
Gardener	1 x Level 1
Cleaner	1 x Level 1
School Services Staff	
District Officer Administrator	1 x EO3
Education Officer	1 x EO2
SDO Technology	1 x SDO
SDO Aboriginal Education	1 x SDO
SDO Northern Territory	1 x SDO
Curri Prog	
Student Services Staff	
Senior School Psychologist	
School Psychologist	
School Psychologist	
School Psychologist	(Grad)
School Welfare Officer	Level 2/3
SDO PEAC	
SDO Aboriginal Health	
SDO Aboriginal Language	
SDO - PSP	
SDO - ESL	
SDO - Stepping Out	
Education Officer	EO2
South Hedland (Primary)	
Teaching Staff	
Principal	2 x Level 5
Principal	1 x Level 4
Deputy Principal	5 x Level 3
Teachers	57.9 x Level 1 and Level 2
Teaching Staff (Aboriginal Education)	
Teachers (ELAN)	1 x Level 2
Non-teaching Staff (Education Support)	
Teachers Aide	1 x Level 5
Teachers Aide	1 x Level 4
Teachers Aide	1 x Level 3
Teachers Aide (Bus)	1 x Level 3
Teachers Aide	3 x Level 2
Registrar	1 x Level 2
Library Officer	1 x Level 1
Bus Driver	1
Non-teaching Staff	
Officers	4 x Level 2
Officers	8 x Level 1

	Teachers Aide	1 x Level 5
	Teachers Aide	9 x Level 4
	Teachers Aide	8 x Level 1
	Aboriginal Education Workers	2 x Level 4
	Aboriginal Education Workers	6 x Level 3
	Aboriginal Education Workers	4 x Level 1
	Cleaners	4 x Level 3
	Cleaners	6 x Level 2
	Cleaners	7 x Level 1
	Gardeners	4 x Level 3
	Bus Wardens	1 x Level 1
(c)	Tom Price (Secondary)	
	Teaching Staff (Secondary)	
	Principal	1 x Level 6
	Deputy Principal	2 x Level 4
	Head of Department	4 x Level 3
	Teachers	18 x Level 1 & 2
	Non-Teaching Staff	
	Officers	1 x Level 3
		8 x Level 1
	Cleaners	1 x Level 3
		4 x Level ½
	Home Economics Assistants	1 x Level 3
	Gardener	1 x Level 3
	Tom Price (Primary)	
	Teaching Staff (Primary)	
	Principal	2 x Level 5
	Deputy Principal	4 x Level 3
	Teachers	31 x Level 1 and Level 2
	Non-teaching Staff (Primary)	
	Officers	2 x Level 2
	Officers	4 x Level 1
	Teachers Aide	7 x Level 1
	Aboriginal Education Workers	1 x Level 1
	Cleaners	2 x Level 3
	Cleaners	2 x Level 2
	Cleaners	4 x Level 1
	Gardeners	2 x Level 3
	Non-teaching Staff (Education Support)	
	Teachers Aide	5 x Level 2
(d)	Paraburdoo (Secondary)	
	Teaching Staff	
	Principal	1 x Level 5
	Deputy Principal	1 x Level 3
	Teachers	5 x Level 1 & 2
	Non-Teaching Staff	
	Officer	1 x Level 2
		5 x Level ½
	Home Economics Assistant	1 x Level 3
	Gardener	1 x Level 3
	Paraburdoo (Primary)	
	Teaching Staff	
	Deputy Principal	1 x Level 3
	Teachers	16.05 x Level 1 and Level 2
	Non-teaching Staff	
	Teachers Aide	4 x Level 1
	Non-teaching Staff (Education Support)	
	Teachers Aide	3 x Level 2
(e)	Telfer (Primary) - school closed since 20 December 1995	

## (f) Marble Bar (Primary)

## Teaching Staff (Aboriginal Education)

Principal	1 x Level 4
Teachers	5 x Level 1 and Level 2

## Non-teaching Staff

Registrar	1 x Level 2
Library Officer	1 x Level 1
Aboriginal Education Workers	2 x Level 1
Cleaners	2 x Level 2
Gardeners	1 x Level 3
Teacher's Aide	1 x Level 1
Child Care Workers	1 x Level 1

## (g) Nullagine (Primary)

## Teaching Staff (Aboriginal Education)

Principal	1 x Level 3
Teachers	4 x Level 1 and Level 2

## Non-teaching Staff

Registrar	1 x Level 2
Library Officer	1 x Level 1
Aboriginal Education Workers	1 x Level 1
Cleaners	1 x Level 2
Gardeners	1 x Level 3
Teachers Aide	1 x Level 1

## Non-teaching Staff (Education Support)

Teachers Aide	1 x Level 2
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## (h) Karratha (Secondary)

## Teaching Staff

Principal	Level 6
Deputy Principal	2 x Level 4
Head of Department	5 x Level 3
Program Co-ordinator	Level 3
Teachers	55 x Level 1 & 2

## Non-Teaching Staff

Public Servant	1 x Level 4
Officers	8 x Level 1
Cleaners	1 x Level 4
	9 x Level ½
Home Economics Assistants	2 x Level 3
Gardener	1 x Level 5
	1 x Level 2

## District Office

Administration Staff	
District Director	Level 9
District Officer	Level 4
Administrative Assistant	Level 2
Clerical	Level 1
Clerical	Level 1
Library Technician	Level 2

## School Services Staff

Education Officer	EO2
SDO - Ed Comp Learn	
SDO - Ed Comp Learn	

## Student Services Staff

Senior School Psychologist	
School Psychologist	
School Psychologist	
School Psychologist	(Prov 1)
School Psychologist	

## Aboriginal Liaison Officer

Welfare Officer	Level 2
Pilbara Camp School Co	Level 2/3
	EO2

Unattached Staff	
Aboriginal Liaison Officer	Level 2
Centrally Funded Commonwealth Staff	
SDO - PCAP	
OTHER - (FTE transferred to schools)	
Aboriginal Education Officer	EO2
Camp Director	EO2
Karratha (Primary)	
Teaching Staff	
Principal	3 x Level 5
Principal	1 x Level 4
Deputy Principal	7 x Level 3
Teachers	55.9 x Level 1 and Level 2
Teaching Staff (Aboriginal Education)	
Aboriginal Ed. Support Teachers	1 x Level 3
Non-teaching Staff (Primary)	
Officers	4 x Level 2
Officers	8 x Level 1
Teachers Aide	1 x Level 5
Teachers Aide	1 x Level 4
Teachers Aide	9 x Level 1
Aboriginal Education Workers	1 x Level 2
Cleaners	4 x Level 3
Cleaners	7 x Level 2
Cleaners	5 x Level 1
Gardeners	1 x Level 5
Gardeners	3 x Level 3
Gardeners	1 x Level 2
Non-teaching Staff (Education Support)	
Teachers Aide	3 x Level 3
Teachers Aide	4 x Level 2
Teachers Aide (Bus)	1 x Level 3
Registrar	1 x Level 2
Library	1 x Level 1
(i) Halls Creek (Primary)	
Teaching Staff (Aboriginal Education)	
Principal	1 x Level 5
Deputy Principal	3 x Level 3
Teachers	22.5 x Level 1 and Level 2
Non-teaching	
Registrar	1 x Level 2
Library Officer	1 x Level 1
School Officer	1 x Level 1
Aboriginal Education Workers	1 x Level 3
Aboriginal Education Workers	3 x Level 2
Aboriginal Education Workers	4 x Level 1
Cleaners	1 x Level 3
Cleaners	1 x Level 2
Cleaners	1 x Level 1
Gardeners	1 x Level 3
Teachers Aide	3 x Level 1
Canteen Supervisor	1 x Level 2
Canteen Attendant	1 x Level 1
Technical Officer - Agriculture	1 x Level 1
Non-teaching Staff (Education Support)	
Teachers Aide	1 x Level 2
(j) Wiluna (Primary)	
Teaching Staff (Aboriginal Education)	
Principal	1 x Level 3
Teachers	5 x Level 1 and Level 2



	Non-Teaching Registrar	1 x Level 2
	Library Officer	1 x Level 1
	Aboriginal Education Workers	1 x Level 2
	Cleaners	1 x Level 3
	Cleaners	1 x Level 1
	Gardeners	1 x Level 3
	Teachers Aides	1 x Level 1
(k)	Dampier (Primary)	
	Teaching Staff (Primary)	
	Principal	1 x Level 4
	Teachers	8.75 x Level 1 and Level 2
	Non-teaching Staff (Primary)	
	Officers	1 x Level 2
	Officers	1 x Level 1
	Teachers Aide	2 x Level 1
	Cleaners	1 x Level 3
	Cleaners	3 x Level 2
	Gardeners	1 x Level 3
	Non-teaching Staff (Education Support)	
	Teachers Aide	1 x Level 2
(l)	Roebourne (Primary)	
	Teaching Staff (Aboriginal Education): ELAN	0.5 x Level 2
	Non-Teaching staff	
	Registrar	1 x Level 2
	Library Officer	1 x Level 1
	Aboriginal Education Workers	4 x Level 3
	Aboriginal Education Workers	3 x Level 2
	Aboriginal Education Workers	2 x Level 1
	Cleaners	1 x Level 3
	Cleaners	2 x Level 1
	Gardeners	1 x Level 3
	Teacher's Aides	3 x Level 1
(m)	Wickham (Secondary)	
	Teaching staff	
	Principal	1 x Level 5
	Deputy Principal	2 x Level 3
	Teachers	6 x Level 1 & 2
	Wickham District High School (Primary Establishment)	
	Teaching Staff	
	Deputy Principal	1 x Level 3
	Teachers	13.65 x Level 1 and Level 2
	Teaching Staff (Aboriginal Education)	
	Aboriginal Ed. Support Teachers	1 x Level 1 & 2
(2)	Refer (1) above.	
(3)	The following programs are currently being funded in the towns listed in (1) above.	
	Priority Schools Program (PSP) - PSP operates in Port Hedland; South Hedland; Marble Bar; Nullagine; Halls Creek; Wiluna; Roebourne and Wickham. Priority Country Areas Program (PCAP) - PCAP operates in Tom Price; Paraburdoo; Marble Bar; Nullagine; Halls Creek; Wiluna and Wickham.	
	School Sport WA - travel subsidies were provided for the Country Senior High Sporting Carnival (Countryweek) -	
	Tom Price	\$3 100
	Karratha	\$5 370
	Hedland	\$5 000

### Swimming and Water Safety

- (i) In-Term Swimming Program - programs are conducted at Port Hedland, South Hedland, Tom Price, Paraburdoo, Telfer, Marble Bar, Karratha, Roebourne and Wickham. Approximate cost - \$75 000.
- (ii) Teacher Training Programs - programs are conducted and offered to the following centres, Port Hedland, South Hedland, Tom Price, Paraburdoo, Marble Bar, Karratha, Roebourne and Wickham. Approximate cost - \$5 000.

Physical Steps Project - all centres have been invited to attend two day professional development workshops on the implementation of curriculum support materials produced by the project. Approximate cost - \$20 000.

Be Active School and Community Project (BASC) - The project supports schools in Port Hedland, South Hedland, Marble Bar and Nullagine. Approximate cost - \$39 000. This is an external supported by the Education Department.

Science Project - funding is allocated to the Education Districts which include these towns.

Aboriginal Languages - a Languages Other Than English (LOTE) officer is located at the Pilbara District Office to support the Aboriginal Languages programs in the District.

Aboriginal and Islander Tertiary Aspirations Program (AITAP) - The AITAP encourages secondary-aged Aboriginal students to participate in tertiary education. It assists students to identify their career aspirations, set goals and provides support structures, such as mentoring programs, to help them with achieving their goals.

Foundation Literacy Program - The Foundation Literacy program is a Northern Territory bridging course designed specifically for remote Aboriginal students. It facilitates the learning of the basic literacy and numeracy skills required to access secondary academic programs and is based upon Western Australia's literacy and numeracy programs and curriculum.

Aboriginal Support Network Program - The Aboriginal Support Network program acts as a bridge between the Aboriginal community and the educational community. It aims to improve Aboriginal student participation and enhance learning outcomes through:

fostering greater Aboriginal parent and community participation in educational decision-making;  
promoting a better understanding of the needs of Aboriginal students;  
providing a supportive school environment for Aboriginal students; and  
establishing a focus of support for the Aboriginal community with regard to education.

Roebourne Education Project - The Roebourne Education Project is a collaborative initiative between the Education Department, the Polly Farmer Foundation, Hamersley Iron, Dampier Salt, Woodside Offshore Petroleum and the Roebourne Aboriginal community. It aims to improve the educational outcomes of Aboriginal students in the Roebourne area to enable them to compete effectively for apprenticeships and commercial cadetships and to pursue further education or employment opportunities with the local industry/mining sector. The focus is on building strong literacy and numeracy skills for the workplace.

Early Literacy and Numeracy (ELAN) Program - The Early Literacy and Numeracy (ELAN) program provides school-based support for teachers to assist Aboriginal students with improving their literacy and numeracy skills.

Aboriginal Education Specialist Teacher (AEST) Program - The AEST program provides a comprehensive professional support network to secondary schools which have a significant enrolment of Aboriginal students. AESTs facilitate school-wide programs in Aboriginal education, team teach with classroom teachers and assist teachers to develop teaching strategies appropriate for Aboriginal students.

Hedland Project - This project is funded by the Commonwealth English as a Second Language (ESL) program. An ESL School Development Officer is working from the Hedland District Office (currently based in South Hedland) to assist students who learn Standard Australian English (SAE) as a second language or dialect. The towns serviced by this project include South Hedland, Port Hedland, Marble Bar and Nullagine.

Critical Steps - The Critical Steps program is jointly funded by the Commonwealth through the ESL and the Aboriginal Educational Operational Plan budgets. It provides ESL services to schools with a high

number of Aboriginal students whose home language is either a traditional Aboriginal Language, a Creole language or Aboriginal English. Halls Creek District High School is one of the schools serviced by this program.

Early Literacy Project - provides funds to Port Hedland, South Hedland, Nullagine, Roebourne, Halls Creek Primary Schools and Wickham District High School.

Deaf Education - Education Department staff attached to The WA Institute for Deaf Education are based in the following towns:

Port Hedland - South Hedland; A part-time Visiting Teacher of deaf and hearing impaired children (0.1 FTE) is based in Port Hedland. Eight children are visited on a regular basis in both Port Hedland and South Hedland.

Halls Creek - A Visiting Teacher of the Deaf was appointed to Kununurra for the first time at the commencement of the 1997 school year. At least once a term this teacher visits six deaf and hearing impaired students in the Halls Creek area. The vehicle that this teacher travels in is sponsored by the Board of Management for The WA School for Deaf Children.

Pre-primary program - There is a pre-primary program in:

Port Hedland, South Hedland, Tom Price, Paraburdoo, Marble Bar, Nullagine, Karratha, Halls Creek, Wiluna, Dampier, Roebourne and Wickham.

Kindergarten program - There is a Kindergarten program in Port Hedland, South Hedland, Karratha, Halls Creek, Wiluna, Dampier, Roebourne and Wickham.

Vocational education and training - All of the schools with Year 11 and 12 students in the towns listed above have access to vocational education and training in schools program funds if they opt to access them.

Science Rationalisation Program - The program is being undertaken in secondary schools in the following towns:

South Hedland, Tom Price, Paraburdoo, Karratha, Halls Creek, Wiluna, Dampier and Wickham.

The program is being coordinated by the Education Department's Safety and Health Unit and consists of training for science support staff, reorganising chemical storage to the standard demanded by the Department of Minerals and Energy, disposal of unwanted chemicals and providing labels and materials safety data sheets for all remaining chemicals to the standard demanded by WorkSafe and the Health Department. In addition the following programs, funded by the Education Department of Western Australia, are being implemented on a system-wide basis.

Performance Management - A system-wide train-the-trainer program is being conducted to enable teachers to develop knowledge and understanding of the performance management process. Those teachers who attend the train-the-trainer workshops will conduct training sessions for staff in their schools and possibly in neighbouring schools.

New Career Structure for Teachers - 300 new promotional positions for exemplary classroom teachers are currently being developed as part of the new career structure for teachers. These positions aim to retain excellent teachers in the classroom. System-wide workshops have been held to facilitate the development of teaching portfolios which will be presented as evidence of excellence in teaching by those teachers applying for the positions.

Career Change - The career change program currently being implemented across the system offers a retraining grant to those teachers whose interests lie outside teaching. Selected staff will resign and be replaced by highly competent graduates.

#### GOVERNMENT INSTRUMENTALITIES - NORTH WEST

##### *Employees and Programs*

2191. Mr GRAHAM to the Minister for Local Government; Disability Services:

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

- (a) Port Hedland;
- (b) South Hedland;

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

- (2) What are the classifications of those staff?
- (3) What programs are currently being funded in the towns listed in (1) above, in the departments under the Minister's control?

Mr OMODEI replied:

Department of Local Government

(1)-(3) Nil.

Disability Services Commission

- (1)
  - (a) Nil.
  - (b) One Local Area Coordinator Supervisor, One Local Area Coordinator.
  - (c)-(g) Nil.
  - (h) One Local Area Coordinator.
  - (i)-(m) Nil.
- (2) Local Area Coordinator Supervisor, (Level 6) - Local Area Coordinator Level 4/5
- (3) Local Area Coordination staff based in South Hedland cover the East Pilbara area including the town of Port Hedland, South Hedland, Marble Bar and Nullagine. The Local Area Coordinator based in Karratha covers the West Pilbara area including the towns of Tom Price and Paraburdoo. Staff can provide direct funding to people with disabilities and their families to purchase required supports as well as assist them to access statewide funding programs in the Disability Services Commission program areas of: Accommodation and Community Home Support; Individual and Family Support; and Community Development and Services Improvement.

#### GOVERNMENT INSTRUMENTALITIES - NORTH WEST

##### *Employees and Programs*

2199. Mr GRAHAM to the Minister representing the Minister for Transport:

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

Mr OMODEI replied:

The Minister for Transport has provided the following response:

## Department of Transport

- (1) (a) Nil.  
 (b) 3.  
 (c) 1.  
 (d) 1.  
 (e)-(g) Nil.  
 (h) 9.  
 (i)-(m) Nil.
- (2) (a) Not applicable.  
 (b) Level 2, Yr5.  
 Level 1, Yr3.  
 Level 3, Yr4.  
 (c) Level 1, Yr9.  
 (d) Level 1, Yr1.  
 (e)-(g) Not applicable.  
 (h) Level 1, Yr2.  
 Level 1, Age 20.  
 Level 1, Yr2.  
 Level 2, Yr5.  
 Level 3, Yr4.  
 Level 2, Yr2.  
 Level 1, Yr1.  
 Level 2, Yr1.  
 Level 4, Yr2.  
 (i)-(m) Not applicable.

- (3) Maritime program and Regional Transport program.

## Main Roads Western Australia

- (1) (a) Nil.  
 (b) (includes Wedgefield) 62.  
 (c)-(g) Nil.  
 (h) 3.  
 (i) 1.  
 (j)-(m) Nil.
- (2) (a) Nil.  
 (b) Level 8 (includes Wedgefield) 2  
 Level 7 1  
 Level 6 3  
 Level 5 6  
 Level 4 4  
 Level 3 5  
 Level 2/4 3  
 Level 1 13  
 AWU L5.4 1  
 AWU L5.1 1  
 AWU L4.2 5  
 AWU L3.1 1  
 AWU L2.6 6  
 AWU L2.5 4  
 AWU L2.3 1  
 AWU L2.1 2  
 AWU L1 1  
 Eng Trades L2 1  
 Eng Trades L1 1  
 P/T Tea Attendant 1  
 (c)-(g) Nil.  
 (h) AWU L4.2 1  
 AWU L2.1 2  
 (i) AWU L5.5 1  
 (j)-(m) Nil.

- (3) Main Roads has three basic programs - Road Preservation, Road Use and Road Expansion and work on all three is being undertaken in the Pilbara Region.

Dampier Port Authority

- (1) Karratha 11  
 (2) Port Officers 5  
     Office Staff 3  
     Managers 3  
 (3) Not applicable.

Port Hedland Port Authority

- (1) PHPA 19.  
 (2) All Staff are on Work Place Agreements  
     L2       5  
     L3       4  
     L5       2  
     L7       1  
     L9+      1  
     Unclassified - 5 PMOS Award  
                   - 1 Harbour Master  
 (3) Nil.

GOVERNMENT INSTRUMENTALITIES - PILBARA REGIONAL OFFICE

*Location and Staff*

2208. Mr GRAHAM to the Minister for the Environment; Employment and Training:

- (1) In which town is the Pilbara Regional Office of each department under the Minister's control?  
 (2) How long has the regional office been in that town?  
 (3) Where was the previous location of the regional office?  
 (4) How many people are employed in the regional office?

Mrs EDWARDES replied:

Department of Environmental Protection

- (1) Karratha.  
 (2) Nineteen (19) years.  
 (3) None.  
 (4) Three.

Kings Park and Botanic Gardens

- (1)-(4) Not applicable.

Perth Zoo

- (1)-(4) Not applicable.

Conservation and Land Management

- (1) Karratha.  
 (2) Since the formation of CALM in 1985.  
 (3) Prior to CALM, Department of Fisheries and Wildlife, National Parks Authority, and the Forests Department had regional offices in Karratha.  
 (4) 11.

Western Australian Department of Training

(1)-(4) Not applicable.

GOVERNMENT INSTRUMENTALITIES - PILBARA REGIONAL OFFICE

*Location and Staff*

2213. Mr GRAHAM to the Minister for Local Government; Disability Services:

- (1) In which town is the Pilbara Regional Office of each department under the Minister's control?
- (2) How long has the regional office been in that town?
- (3) Where was the previous location of the regional office?
- (4) How many people are employed in the regional office?

Mr OMODEI replied:

Department of Local Government

(1)-(4) Not applicable.

Disability Services Commission

- (1) South Hedland
- (2) 3 years.
- (3) Karratha.
- (4) 2.

GOVERNMENT INSTRUMENTALITIES - PILBARA REGIONAL OFFICE

*Location and Staff*

2221. Mr GRAHAM to the Minister representing the Minister for Transport:

- (1) In which town is the Pilbara Regional Office of each department under the Minister's control?
- (2) How long has the regional office been in that town?
- (3) Where was the previous location of the regional office?
- (4) How many people are employed in the regional office?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

Department of Transport

- (1)-(2) The Department of Transport has had an office in Karratha since 1982. A Licensing Centre has existed in Karratha since 1977.
- (3) Not applicable.
- (4) 7.5 FTE'S (including 5 for Licensing).

Main Roads Western Australia

- (1) South Hedland.
- (2) 1977.
- (3) South Hedland.
- (4) There are 65 employees in the Pilbara Region.

Dampier Port Authority

- (1) On the Burrup Peninsula, near Dampier.

- (2) Since 1989.
- (3) Not applicable.
- (4) 11.

FUEL AND ENERGY - GAS

*Pipeline - Dampier-Bunbury*

2238. Mr McGOWAN to the Minister for Resources Development:

- (1) Will the buyer of the Dampier to Bunbury Natural Gas Pipeline have to pay local government rates to the local government authorities over which the pipeline travels?
- (2) If not, why not?
- (3) If so, how much will it cost the buyer per year?
- (4) Will the Government reimburse those councils for the lost revenue?

Mr BARNETT replied:

- (1) The matter of rating the Dampier to Bunbury Natural Gas Pipeline is presently being considered as part of the Government sale process for the pipeline. As this process has yet to be completed, it is inappropriate to release details on one aspect of that sale, at this stage. Rating could be addressed under the legislation which will facilitate the sale of the pipeline. This legislation will be brought before Parliament later this year.
- (2)-(4) Not applicable.

HERITAGE - PLACES AND OBJECTS

*Identification, Assessment and Conservation Program*

2245. Ms McHALE to the Minister for the Environment:

- (1) What are the policies, programs or procedures associated with cultural and natural heritage places and objects under the Minister's control?
- (2) What financial commitments have been made by the Environmental Protection Authority to identify, assess and conserve heritage places and objects?
- (3) If no such policy, program or procedures exist, when can they be expected?

Mrs EDWARDES replied:

- (1) The definition of "environment" under the Environmental Protection Act 1986 (as amended) provides for broad responsibilities for heritage matters to be considered part of the environment. Regional Management Plans, Area Management Plans and Forest Management Plans prepared by the Department of Conservation and Land Management include strategies to protect places of cultural and historic heritage significance.

CALM also undertakes joint work with Commonwealth Government agencies to assess places of National Estate and World Heritage significance. Guidelines for the protection of these values and places are also developed jointly in some cases. Natural heritage is protected through the conservation reserve system and other parks managed by CALM, Kings Park and Botanic Gardens, and Perth Zoological Gardens.

- (2)-(3) The specific responsibility to identify, assess and conserve cultural heritage places and objects more properly rests under the Heritage of Western Australia Act and the Aboriginal Heritage Act. The responsibility for identification, assessment and conservation of natural heritage rests with the Department of Conservation and Land Management in developing and managing the conservation reserve system.

The Environmental Protection Authority may take heritage matters into account when assessing the potential impacts on the environment of development proposals. In such cases it is the proponent who funds the necessary work: the EPA evaluates it and provides advice to the Minister for the Environment.



## HERITAGE - PLACES AND OBJECTS

*Identification, Assessment and Conservation Program*

2247. Ms McHALE to the Minister for Lands:

- (1) What are the policies, programs or procedures associated with cultural and natural heritage places and objects under the Minister's control?
- (2) What financial commitments have been made by the Department of Land Administration to identify, assess and conserve heritage places and objects?
- (3) If no such policy, program or procedures exist, when can they be expected?

Mr SHAVE replied:

- (1) I am responsible for the administration of a number of laws, including the Land Act 1933, parts of the Local Government (Miscellaneous Provisions) Act 1960-1986 and, under delegation, various provisions of the Land Acquisitions and Public Works Act 1902. In administering all of the statutes under my control, regard is had for particular laws relevant to the care and management of cultural and natural heritage places. Such laws do not fall within my administrative responsibilities and accordingly programs as such, while they are developed on an individual case by case basis, are not in place generally.
- (2) As and when required as a result of specific development or redevelopment proposals, the Department of Land Administration will, in accordance with the requirements of the Heritage of Western Australia Act 1990 or the Aboriginal Heritage Act 1972-1980, commission or have commissioned all necessary studies to identify and assess relevant heritage issues. Where appropriate and subject to funding constraints, measures are taken to ensure that conservation of identified heritage places and objects occurs.
- (3) Not applicable.

## HERITAGE - PLACES AND OBJECTS

*Identification, Assessment and Conservation Program*

2250. Ms McHALE to the Minister for Education:

- (1) What are the policies, programs or procedures associated with cultural and natural heritage places and objects under the Minister's control?
- (2) What financial commitments have been made by the Education Department to identify, assess and conserve heritage places and objects?
- (3) If no such policy, program or procedures exist, when can they be expected?

Mr BARNETT replied:

- (1) The Education Department (EDWA) is aware of the requirements of the Heritage of Western Australia Act, 1990 and the Government Heritage Property Disposal Process for places of cultural heritage significance. EDWA has procedures in place to address these requirements.

On capital works projects, appropriate conservation action is identified and implemented with the assistance of the Department of Contract and Management Services (CAMS) Heritage and Precinct Management Team.

This includes the preparation of Conservation Plans and Heritage Assessments which examine and assess the natural landscape, moveable heritage and built environment of a place. EDWA has recently approved the preparation of a heritage inventory, which will examine and assess all pre-1930 schools to determine conservation priorities as a basis for forward planning.

- (2) EDWA has funded the preparation of several Heritage Assessments and Conservation Plans. Appropriate conservation action arising from the recommendations of these reports, such as supervision of works by a conservation practitioner, is also funded by EDWA. The heritage inventory about to commence is jointly funded by EDWA (\$15 000) and CAMS (\$40 000).
- (3) Not applicable.

STREET LIGHTING - MAINTENANCE

*Shenton Park - Responsibility*

2252. Dr CONSTABLE to the Minister for Energy:

- (1) Who is responsible for maintaining street lights in the area between the Shenton Park annexe to the Royal Perth Hospital and Underwood Avenue?
- (2) Why have the lights in this area still not been fixed, despite at least three complaints since Christmas, and three visits by maintenance crews?
- (3) Have the maintenance services for street lights in this area or any other been contracted out, and if so -
  - (a) when;
  - (b) to whom; and
  - (c) what was the contract price?

Mr BARNETT replied:

I am advised -

- (1) Western Power's City Resource Centre carries out all street light maintenance in this area.
- (2) A Western Power crew recently replaced a faulty Photo-Electric Cell which controls the street lighting in several roads in this area. On Thursday, 18 September 1997, a check revealed 4 streetlights on the corner of Selby and Lemnos Streets were faulty. These were not reported to Western Power, but identified by the crew working in the area. These have since been repaired. Western Power is not aware of any other faulty streetlights in the area, but will act upon any that are reported.
- (3) (a)-(c) Western Power has recently introduced a Bulk Globe Replacement Program for participating councils. This program is designed to ensure that all streetlights are replaced on a rolling four year cycle and will improve the reliability of the streetlight system in the Metropolitan area. Tenders were recently called by Western Power to complement its existing work force in this program. The tender process closed on Wednesday, 17 September 1997. The tenders are currently being assessed and preferred vendors are expected to commence work in early November. Contract prices have not been determined as yet.

GOVERNMENT INSTRUMENTALITIES - OCCUPATIONS AND PROFESSIONS

*Registered or Licensed*

2265. Dr CONSTABLE to the Minister for Police; Emergency Services:

Which occupations and professions operate in Western Australia under a system of registration or licensing administered by an agency within the Minister's portfolio?

Mr DAY replied:

Western Australia Police Service  
Crowd Control Agents  
Crowd Controllers  
Firearms Dealers  
Firearms Manufacturers  
Firearms Repairers  
Inquiry Agents  
Pawnbrokers  
Secondhand Dealers  
Security Agents  
Security Consultants  
Security Installers  
Security Officers  
Security Officers with an endorsement to carry batons  
Security Officers with an endorsement to carry firearms

Note:

For the purpose of this question, the words 'registration or licensing' have been interpreted to mean 'without such registration or licence, the relevant occupation or profession cannot legally be practised in Western Australia'.

Bush Fires Board: Nil.

Fire & Rescue Service: Nil.

State Emergency Service: Nil.

# GOVERNMENT INSTRUMENTALITIES - OCCUPATIONS AND PROFESSIONS

## *Registered or Licensed*

2266. Dr CONSTABLE to the Minister for Local Government; Disability Services:

Which occupations and professions operate in Western Australia under a system of registration or licensing administered by an agency within the Minister's portfolio?

Mr OMODEI replied:

Department of Local Government: Building Surveyors.

Disability Services Commission: The Disability Services Commission employs the following groups of professional staff; Clinical Psychologists, Physiotherapists, Occupational Therapists, Nurses, Podiatrists, Audiologists, Dietitians, Speech pathologists, Social Workers and Medical Officers.

The following have registration Boards -

Psychologists  
Physiotherapists  
Occupational Therapists  
Nurses  
Podiatrists  
Medical Officers

Fremantle Cemetery Board -

Funeral Directors  
Monumental Masons

Keep Australia Beautiful Council: None.

Metropolitan Cemetery Board -

Funeral Directors  
Monumental Masons

# GOVERNMENT INSTRUMENTALITIES - OCCUPATIONS AND PROFESSIONS

## *Registered or Licensed*

2271. Dr CONSTABLE to the Minister representing the Minister for Transport:

Which occupations and professions operate in Western Australia under a system of registration or licensing administered by an agency within the Minister's portfolio?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

Department of Transport

- \* Marine Pilots
- \* Marine and Engineer Certificates of Competency
- \* Certificate of Proficiency in Small Craft and Safety
- \* Mooring Area Licences - Aquatic Operators
- \* Marine Hire & Drive Owner Licence
- \* Drivers Licensing Instructors
- \* Bus Drivers
- \* Truck Drivers
- \* Taxi Drivers
- \* Couriers
- \* Omnibus operators
- \* Aircraft operators

Eastern Goldfields Transport Board

Omnibus Drivers Licences (F Class) administered by Department of Transport

## COMMISSION ON GOVERNMENT - RECOMMENDATION No 16

*Cabinet Register*

2278. Mr PENDAL to the Premier:

- (1) I refer to Recommendation 16 of the Commission on Government and ask, is it the Premier's intention to create a Cabinet register, to be made available for public inspection, to show -
- (a) the names of those who attended each meeting;
  - (b) a brief description of each Cabinet decision;
  - (c) the quantum of any public funds committed at each meeting?
- (2) If not, why not?
- (3) If so, when?

Mr COURT replied:

- (1)-(3) I refer the member to the Government's response to the Commission on Government Reports, including Recommendation 16, which was tabled on 31 October 1996.

## PARLIAMENTARY SECRETARY - ABOLITION

2279. Mr PENDAL to the Premier:

- (1) Is it the Premier's intention to abolish the position of Parliamentary Secretary to the Cabinet, as was recommended by the Commission on Government?
- (2) If so, when?
- (3) If not, why not?

Mr COURT replied:

- (1)-(3) I refer the member to the Government's response to the Commission on Government Reports, including Recommendation 15, which was tabled on 31 October 1996.

## HOSPITALS - CARDIAC SERVICES UNITS

*Staff*

2305. Dr CONSTABLE to the Minister for Health:

- (1) In each of the last five years, how many -
- (a) cardio thoracic surgeons;
  - (b) surgical registrars;
  - (c) surgical resident medical officers;
  - (d) clinical nurses; and
  - (e) other medical staff,

have staffed the cardiac surgery units at Royal Perth Hospital, Sir Charles Gairdner Hospital and the Mount Hospital?

- (2) What are the most recent figures?

Mr PRINCE replied:

All figures relate to Full Time Equivalent (FTE)

SCGH: Sir Charles Gairdner Hospital

RPH: Royal Perth Hospital

		93/94	94/95	95/96	96/97
(1)	(a)	SCGH	2.0	2	2
		RPH	2.5	2.5	2.5
	(b)	SCGH	3.5	3.5	3
		RPH	5	5	5
	(c)	SCGH	2	2	2
		RPH	4	4	4

	(d)	SCGH RPH	23.6 58.46	23 49.06	22.5 49.06	22.1 48.89
	(e)	SCGH RPH	2 4	2 4	2 4	2 3
October 97 (2)	(a)	SCGH RPH	2 2			
	(b)	SCGH RPH	3 5			
	(c)	SCGH RPH	2 3			
	(d)	SCGH RPH	21.1 44.86			
	(e)	SCGH RPH	2 3			

No figures provided for Mount Hospital - Private

#### DISABILITY SERVICES - COMMISSION

##### *Institutions - Abuse of Patients*

2304. Dr CONSTABLE to the Minister for Disability Services:

Further to the Minister's answer to part (b) of question on notice 1777 of 1997, what data has the Disability Services Commission (DSC) collected on abuse in the last five years, and how does the DSC categorise the abuse?

Mr OMODEI replied:

As reported in my response to the member's question 1777 of 1997, the Disability Services Commission (DSC) does not have conclusive data available on instances of abuse over the last five years. A number of initiatives have recently been implemented to provide more comprehensive data on serious incidents involving clients. These include:

1. "Critical Incident Reporting System". This system records individual instances of critical incidents, including serious physical assault and sex offences. These records will be aggregated into a data base commencing November 1997.
2. "Procedures for Dealing with reports of Serious Matters Concerning Consumer Welfare". Serious matters reported on include the death of a client, allegations of staff/abuse mishandling of clients, allegations of family abuse of clients, life threatening incidents (accidental and intentional).
3. "Consumer Complaints / Liaison Services". Since November 1994, the DSC has collected data on complaints, including verbal/physical/sexual/ other assault. Full year data has been available from 1995/96. 1995/96 data shows that 64 complaints were registered with 5 being categorised as assault. 1996/97 data shows that 108 complaints were registered with 6 being categorised as assaults.

The DSC has a Performance Agreement in place with all funded agencies which requires agencies to ensure that consumers are protected from abuse, neglect and exploitation. Funded agencies receive regular visits from DSC officers to assess their compliance with the requirements of the Performance Agreement. In addition, independent Standards Monitoring Teams assess the quality of the service provided against the National Disability Services Standards. It should be noted that on 23 October 1997 the DSC received a National Violence Prevention Award from the Australian Institute of Criminology for its "Feel Safe" program. "Feel Safe" assists people with intellectual disabilities to develop an awareness of potential risk situations and develop protective behaviours.

#### BUILDING INDUSTRY - BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND BOARD

##### *Members - Appointment and Remuneration*

2306. Dr CONSTABLE to the Minister for Employment and Training:

- (1) Who are the members of the Building and Construction Industry Training Fund Board?

- (2) When was each member appointed and for what period of time?
- (3) How much remuneration is each member paid?
- (4) How many times has the Building and Construction Industry Training Fund Board met?

Mrs EDWARDES replied:

- (1) Mrs Marli Wallace (Presiding Member)  
Mr Bernie Ryan  
Mr Graham Wimbridge  
Mr David Oliver  
Ms Donna Knight  
Cr Michael Sabatino  
Mr Colin Saunders  
Mr Fran Logan  
Mr Kevin McGuire  
Mr Kim Young  
Mr George Gear  
Mr John Dastlik  
Mr Warren Elliott  
Mr Barry O'Brien  
Mr Kimberley Richardson  
Mr Harvey McLeod  
Mr Andrew Peppercorn
- (2) The following members were appointed on 26 February 1997 for a term of ten months expiring on 31 December 1997:  
Mrs Marli Wallace  
Mr Bernie Ryan  
Mr Graham Wimbridge  
Mr David Oliver  
Ms Donna Knight  
Cr Michael Sabatino  
Mr Colin Saunders  
Mr Fran Logan  
Mr Kevin McGuire  
Mr Kim Young  
Mr John Dastlik  
Mr Barry O'Brien  
Mr Harvey McLeod  
Mr Andrew Peppercorn  
  
The following deputy members were appointed on 30 September 1997 for a term of three months expiring 31 December 1997:  
Mr George Gear  
Mr Warren Elliott  
Mr Kimberley Richardson
- (3) The Board members and deputies receive no remuneration from the BCIT Fund. The presiding member presently receives the sum of \$5,000 per annum paid quarterly.
- (4) In the 12 months to 30 June 1997 the Board met on 12 occasions.

#### HEALTH - SUPER SPECIALTY SERVICE GUIDELINES FOR ACUTE CARDIAC INTERVENTIONS REPORT

2319. Dr CONSTABLE to the Minister for Health:

Is the Minister aware of the report of the Australian Health Technology Advisory Committee entitled *Super Specialty Service Guidelines for Acute Cardiac Interventions* of March 1995?

Mr PRINCE replied:

While the Minister is not personally familiar with the contents of the report, members of the Health Department of Western Australia are fully aware of its contents.

#### HOSPITALS - CARDIAC SERVICES UNITS

##### *Patient Numbers*

2321. Dr CONSTABLE to the Minister for Health:

In each of the last five years, what is the number of patients treated in the cardiac surgery units at -

- (a) Royal Perth Hospital;
- (b) Sir Charles Gairdner Hospital; and
- (c) Fremantle Hospital,

and what were the procedures performed?

Mr PRINCE replied:

		92/93	93/94	94/95	95/96	96/97
(a)	Royal Perth	1159	878	847	734	718
(b)	Sir Charles Gairdner	105	355	391	354	337
(c)	Fremantle	Nil	Nil	Nil	Nil	Nil

No thoracic surgery cases included - only cardiac.

#### HOSPITALS - CARDIAC SERVICES UNITS

##### *Number of Surgeons*

2322. Dr CONSTABLE to the Minister for Health:

- (1) In each of the last five years, how many cardiac surgeons operated in the cardiac surgery units at -

- (a) Royal Perth Hospital;
- (b) Sir Charles Gairdner Hospital; and
- (c) Fremantle Hospital?

- (2) What procedures did each surgeon perform?

- (3) How many procedures did each surgeon perform?

Mr PRINCE replied:

- (1) (a) 4 Surgeons: Mr A Hodge, Mr M Edwards, Mr R Larbalestier, Mr I Gilfillan  
 (b) 3 Surgeons: Mr Mark Newman, Mr Martin Carter, Mr Trevor Nicholls  
 (c) No Surgeons
- (2) (a) Unable to provide this information  
 (b) See table below  
 (c) Not applicable.
- (3) (a)
- | #            | 92/93 | 93/94 | 94/95 | 95/96 | 96/97 |
|--------------|-------|-------|-------|-------|-------|
| Hodge        | na    | 221   | 167   | 215   | 163   |
| Gilfillan    | na    | 210   | 201   | 207   | 178   |
| Edwards      | na    | 164   | 185   | 155   | 191   |
| Larbalestier | na    | 183   | 221   | 154   | 164   |
| Total        | na    | 778   | 774   | 731   | 696   |
- (b)
- |  |    |     |     |     |     |
|--|----|-----|-----|-----|-----|
| Mr M Newman  |    |     |     |     |     |
| Aortocoronary bypass - 1 coronary artery           | 5  | 6   | 20  | 16  | 13  |
| Aortocoronary bypass - 2 coronary arteries         | 13 | 25  | 32  | 24  | 12  |
| Aortocoronary bypass - 3 coronary arteries         | 12 | 22  | 15  | 17  | 8   |
| Aortocoronary bypass - 4 or more coronary arteries | 4  | 15  | 7   | 8   | 8   |
| Single internal mammary-coronary artery bypass     | 11 | 38  | 37  | 49  | 83  |
| Double internal mammary-coronary artery bypass     | 1  | 4   | 12  | 5   | 8   |
| Other procedures                                   | 14 | 38  | 68  | 49  | 49  |
| Total  | 60 | 148 | 191 | 168 | 181 |
| Mr M Carter  |    |     |     |     |     |
| Aortocoronary bypass - 1 coronary artery           | 3  | 9   | 10  | 10  | 2   |
| Aortocoronary bypass - 2 coronary arteries         | 3  | 13  | 19  | 13  | 5   |
| Aortocoronary bypass - 3 coronary arteries         | 2  | 12  | 15  | 6   | 10  |
| Aortocoronary bypass - 4 or more coronary arteries | 6  | 14  | 7   | 8   | 7   |
| Single internal mammary-coronary artery bypass     | 4  | 22  | 18  | 28  | 37  |
| Double internal mammary-coronary artery bypass     | 4  | 11  | 11  | 16  | 6   |
| Other procedures                                   | 7  | 37  | 36  | 30  | 41  |
| Total  | 29 | 118 | 116 | 111 | 108 |
| Mr T Nicholls                                      |    |     |     |     |     |
| Aortocoronary bypass - 1 coronary artery           |    | 6   | 5   | 3   | 1   |
| Aortocoronary bypass - 2 coronary arteries         | 4  | 12  | 11  | 3   | 4   |
| Aortocoronary bypass - 3 coronary arteries         | 4  | 11  | 14  | 12  | 7   |
| Aortocoronary bypass - 4 or more coronary arteries | 1  | 18  | 8   | 4   |     |
| Single internal mammary-coronary artery bypass     | 3  | 11  | 14  | 22  | 15  |
| Double internal mammary-coronary artery bypass     | 1  | 3   | 2   | 4   | 1   |
| Other procedures                                   | 3  | 28  | 30  | 27  | 20  |
| Total  | 16 | 89  | 84  | 75  | 48  |
- (c) Not applicable.

# There is a difference between numbers recorded here and total number of open hearts as these details are drawn from different databases, locum surgeons have been employed at times and some patients have more than one procedure per admission.

SMALL BUSINESS - SUPERANNUATION

*Choice of Funds*

2329. Mr BROWN to the Minister for Small Business:

- (1) Is the Minister aware of concerns from the small business community about the Federal Government's decision to require employers to offer employees the option of choosing up to five separate superannuation funds?
- (2) Has small business complained to the Minister about the additional compliance and paperwork that may be involved in this process?
- (3) Has the Minister made any representations to the Federal Government about changing these arrangements?
- (4) What representations has the Minister made?
- (5) Has the Minister received a response from the Federal Government?
- (6) If so, what is that response?

Mr COWAN replied:

- (1) Yes. The Small Business Development Corporation (SBDC) has alerted me to the potential impact of the budget proposal under consideration for possible implementation on 1 July 1998.
  - (2) No. The SBDC has noted the concerns of some business groups at various forums since the proposed option was announced.
  - (3) No.
  - (4) The SBDC has raised the issue with the Australian Taxation Office at its quarterly Small Business Liaison Group meeting in September 1997. The Australian Taxation Office has indicated that it is awaiting the release of further details regarding the requirement. When these details are known, representations will be made to the Federal Government as appropriate.
- (5)-(6) Not applicable.

FAIR TRADING - TOUR OPERATORS

*Payment of Commissions by Shop Owners*

2330. Mr BROWN to the Minister for Fair Trading:

- (1) Is the Minister aware of an article that appeared in *The West Australian* on 27 August 1997 in Inside Cover which reported on commissions paid to tour operators to ensure customers shop at particular stores?
- (2) Has the Government and/or the Tourism Commission examined this practice?
- (3) If not, why not?
- (4) Is the practice a legitimate commercial business transaction?
- (5) If not, what sort of transaction is it?

Mr SHAVE replied:

- (1) Yes.
- (2) No, the practice has not been examined by the Ministry of Fair Trading. I am also advised that the Tourism Commission has not examined this matter.
- (3) On the information presented, it does not appear to be a breach of legislation within my jurisdiction. I am also advised that the Tourism Commission has no compliance legislation within its jurisdiction.
- (4) Refer to (3) above.
- (5) Not applicable.



## GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

*Contracts - Number and Value*

2338. Mr BROWN to the Minister for the Environment; Employment and Training:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mrs EDWARDES replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

## GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

*Contracts - Number and Value*

2340. Mr BROWN to the Minister for Labour Relations; Planning; Heritage:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr KIERATH replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed, but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

## GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

*Contracts - Number and Value*

2341. Mr BROWN to the Minister for Lands; Fair Trading; Parliamentary and Electoral Affairs:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr SHAVE replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

*Contracts - Number and Value*

2344. Mr BROWN to the Minister for Health:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr PRINCE replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

*Contracts - Number and Value*

2345. Mr BROWN to the Minister representing the Minister for Finance:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr COURT replied:

The Minister for Finance has provided the following response:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

*Contracts - Number and Value*

2347. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of

archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

*Contracts - Number and Value*

2348. Mr BROWN to the Minister representing the Minister for Mines:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr BARNETT replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

*Contracts - Number and Value*

2351. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr OMODEI replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

*Contracts - Number and Value*

2352. Mr BROWN to the Minister representing the Attorney General:

- (1) Since February 1993, has the Attorney General and/or any department or agency under the Attorney General's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr PRINCE replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of

archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

#### GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

##### *Contracts - Number and Value*

2353. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr BRADSHAW replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

#### GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

##### *Contracts - Number and Value*

2355. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Since February 1993, has the Minister and/or any department or agency under the Minister's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr MARSHALL replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

#### ROTTNEST ISLAND - AUTHORITY

##### *Performance Measurement*

2364. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) In the 1995-96 Annual Report of the Rottneest Island Authority (the Authority), did the Auditor General place a qualification on the effectiveness indicators developed by the Authority?
- (2) Did the Auditor General say the effectiveness indicators are not considered appropriate for assisting users to assess the Authority's performance because they do not contain any measure of performance?
- (3) If not, what is the proper interpretation of the Auditor General's comments?
- (4) Has the Authority carried out any further work to address the qualification raised by the Auditor General?
- (5) If so, what work has been undertaken?
- (6) What steps has the Minister taken to ensure the Authority produces appropriate indicators which enable a proper measurement of its performance?

Mr BRADSHAW replied:

- (1)-(2) Yes.
- (3) Not applicable.
- (4) Yes.
- (5) Effectiveness indicators presented in the 1996/97 Financial Statements, other than Environmental, now contain measures of performance.
- (6) The Minister has encouraged the Authority to produce measures of performance for all effectiveness indicators as soon as it is practicable.

#### ROTTNEST ISLAND - AUTHORITY

##### *Employees - Voluntary Activities*

2365. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) How many employees of the Rottnest Island Authority reside -
  - (a) on island;
  - (b) off island?
- (2) How many employees lived on Rottnest Island on -
  - (a) 1 January 1997;
  - (b) 1 January 1996;
  - (c) 1 January 1995?
- (3) Were any of the Rottnest Island employees who lived on island engaged after working hours in voluntary activities which assisted the island?
- (4) If so, what activities?
- (5) Have any of those activities ceased as a consequence of employees being moved off island?
- (6) Which activities have ceased?
- (7) Has the withdrawal of such voluntary activity imposed an obligation or cost on the Authority to provide such services with paid employees, contractors or others?
- (8) What is that cost?

Mr BRADSHAW replied:

(1)

	Full Time		Part Time		Secondment	Total
	Permanent	Contract	Permanent	Contract		
(a)	42	6	1	4	1	54
(b)	27	8	1	-	4	40

Note: Answer (b): The figures for full time employees include staff based in the Authority's Fremantle office.

(2)

	Full Time		Part Time		Secondment	Total
	Permanent	Contract	Permanent	Contract		
(a)	43	8	1	4	1	57
(b)	67	10	3	2	-	82
(c)	77	5	3	-	-	85

Note: Answer (2) relates to the high tourist season, however, answer does not include casual staff employed in tearooms operated by the Authority at that time.

- (3) Yes.
- (4) Volunteer Emergency Services.
- (5) A number of resident staff have withdrawn their voluntary services in response to a decision to contract out certain services.
- (6) Volunteer Emergency Services.
- (7) Yes.
- (8) The weekly cost to the Authority is \$3608. This is a short-term cost pending alternative, longer-term arrangements being put in place to deal with fire and other emergency services.

#### ROTTNEST ISLAND - AUTHORITY

##### *Leases - Disclosure of Information*

2368. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Further to question on notice 1605 of 1997, how many of the leases on Rottnest Island contain a provision which requires the lessee to disclose to the Rottnest Island Authority details of -
  - (a) sales or sales turnover;
  - (b) cost of operating the business under lease?
- (2) What information does each lessee have to provide?
- (3) Has the Rottnest Island Authority been provided with the information as required under each of the leases that contain such or similar provisions?
- (4) If yes, which leases?
- (5) If no, why not?

Mr BRADSHAW replied:

- (1) (a) 10 - however 9 of the 10 provide for a turnover rent to be collected.  
(b) 8
- (2) There are a number of different clauses in various Leases providing for the lessee to supply financial information to the Lessor, however it should be noted that the majority of the Leases fall within the scope of the Commercial Tenancy (Retail Shops) Agreement Act 1985.
- (3) In terms of collection of turnover rent - yes during the normal course of Lease administration.
- (4) Those leases that are required to provide certain financial information.
- (5) Not applicable.

#### RAILWAYS - WESTRAIL

##### *Redundancy Payments - Cost*

2378. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) How many Westrail employees have taken redundancy or transition payments since March 1993?
- (2) What has been the total cost of these payments?

Mr OMODEI replied:

- (1) 2 751 as at October 18, 1997.
- (2) \$54.167 million as at October 18, 1997. However the member would be aware that there has been a reduction of costs since 1993 with the benefits passed onto users resulting in a reduction in freight charges of around 25%. In addition, Westrail made an operating profit of \$13.1 million for the financial year 1995/96, the first in its 117 year history. This was followed by a \$42.5 million profit for the 1996/97 financial year.

## DRUGS - ALTERNATIVE THERAPIES

*Research*

2386. Ms ANWYL to the Minister for Health:

- (1) I refer to the answer to question on notice 1988 of 1997 and ask, why is the costing preliminary and will the Minister provide detail of it?
- (2) In relation to part (2), is oral morphine being considered for trial as is the case in Victoria?
- (3) If not, why not?
- (4) In relation to part (4), who made the decision and on which precise date?
- (5) In relation to parts (5) and (6) will the Minister provide more detail?
- (6) Will the Minister ensure that a briefing is made to the Select Committee into the Misuse of Drugs Act 1981 (the Committee) and, if so, when?
- (7) What steps have been taken to date to keep the Committee informed on this issue?

Mr PRINCE replied:

- (1) Costings are preliminary because the alternative drug therapies are still in the experimental phase of their development and implementation and this work is being undertaken by a number of research groups around Australia. In Western Australia, \$180,000 has been allocated to the Health Department to enable the monitoring and evaluation of the recently established private naltrexone program by Dr George O'Neil and the Alcohol and Drug Authority to seek collaboration in the national multi-centre trial.
- (2) No.
- (3) It is inappropriate for Western Australia to attempt to research all of the alternative pharmacotherapies. The preferred approach is to work collaboratively and strategically with research centres around Australia to avoid wasting resources by replicating work that is being done elsewhere.
- (4) Support was given by the Minister for Family and Children's Services and the Minister for Health at the Ministerial Council on Drug Strategy meeting held in Cairns on 31 July 1997.
- (5) A multi-centre national trial of buprenorphine is coming to an end and early results should be available in early 1998. If the results of this study are favourable, the use of buprenorphine, outside the context of a trial, will require Therapeutic Goods Administration (TGA) approval of an appropriate formulation of the drug. It is not known at this stage whether Reckitt and Coleman, who manufacture the drug, will make such an application to the TGA. Currently trials of LAAM are being planned in South Australia and Victoria. Western Australia will await the outcome of these studies and TGA approval of the drug before introducing any treatment programs involving LAAM. The Alcohol and Drug Authority has initiated negotiations with Turning Point in Victoria to be part of a multi-centre clinical trial of naltrexone that would commence in the first half of 1998.
- (6) The Alcohol and Drug Authority presented a briefing paper on Alternative Pharmacotherapies to the Select Committee Into the Misuse of Drugs Act, in September 1997, and representatives from the Authority met with the Committee on 25 September and 7 October.
- (7) Officers of the Alcohol and Drug Authority and the Health Department are available to the Select Committee to provide briefings.

## ARTS AND CULTURE - WA ART GALLERY

*Ms Jane Longton - Conditions of Employment*

2389. Mr BROWN to the Minister representing the Minister for the Arts:

In relation to the employment of Ms Jane Longton with the Ministry -

- (a) what position does Ms Longton hold at the Western Australian Art Gallery;
- (b) when did Ms Longton take up that position;
- (c) is this position a public service position or a contract position;

- (d) what remuneration/conditions does this position attract;
- (e) when was this position advertised and what selection process was followed to fill it?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following response:

- (a) Ms Longton is acting in the temporary position of Director, Art Gallery Foundation.
- (b) 20 January 1997.
- (c),(e) The position is a temporary one pending the creation of a long term position which will be advertised and filled in the normal manner.
- (d) Remuneration and conditions for this position have not yet been determined. Ms Longton is seconded from the Ministry of the Premier and Cabinet at a Level 8 classification.

MINISTRY OF PREMIER AND CABINET - MS JANE LONGTON

*Conditions of Employment*

2390. Mr BROWN to the Premier:

In relation to the employment of former staff member Ms Jane Longton in the Premier's office -

- (a) on what date did Ms Longton commence work;
- (b) what was the title/position of Ms Longton's work;
- (c) was Ms Longton employed as a public servant or was the position contracted;
- (d) was this position advertised;
- (e) if so, when;
- (f) what was the remuneration associated with the position;
- (g) on what date did Ms Longton leave her employment with the Premier?

Mr COURT replied:

- (a)-(g) Ms Longton commenced working in my office on 20 July 1992 as a Level 5, Executive Officer to the Leader of the Opposition. The position was advertised in May/June 1992. She was employed as a public servant on a term of government contract. She was subsequently employed in the Premier's office also on a term of government contract as Senior Executive Officer (Level 7), and Director, Government Liaison and Overseas Representation (Level 8). These positions, as with most Ministerial office positions, were not advertised. Ms Longton left my office on 17 January 1997. She is currently on a fixed term contract with the Ministry and commenced a secondment to the Art Gallery on 20 January 1997.

TRANSPORT - BUS

*Private Operators - Driver Training*

2392. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Does the Government wholly or partly fund the training of drivers for private bus operators who are delivering metropolitan bus services for the Department of Transport?
- (2) If yes -
  - (a) what are the terms of the agreement regulating such payment;
  - (b) how much has been paid in respect of such training and to whom has it been paid?

Mr OMODEI replied:

- (1)-(2) Contracts awarded as a result of tenders subsequently awarded to both the private sector and MetroBus have required provision within the tendered price for staff training. The only exception to this has been a reimbursement of \$5 000 to Southern Coast Transit to cover the training of four drivers to Coach Captain levels of expertise. This is to cater for the new "Mandurah City Link Double Decker Buses" which are providing a non-stop service from Perth to Mandurah.



## EMPLOYMENT AND TRAINING - TRAINING PROGRAMS

*Progress Reports*

2398. Mr BROWN to the Minister for Employment and Training:

- (1) Further to question on notice 1253 of 1997, can the Minister advise if the Department of Training has received the first progress reports from tenderers due by 31 August 1997?
- (2) Have all the reports required by that date been received?
- (3) What organisations have provided reports?
- (4) What training is being provided by each organisation that has received training funds?
- (5) What is the precise nature of the training and the qualifications that will be obtained by those undergoing the training?

Mrs EDWARDES replied:

- (1) The Department of Training has received progress reports from tenderers.
- (2) Reports have not yet been received from all the tenderers.
- (3) Reports have been received from the Chamber of Commerce and Industry and Karrayili Adult Education Centre. A report has not yet been received from Geraldton Regional College of TAFE.
- (4)-(5) The Chamber of Commerce and Industry is managing the delivery of a range of nationally accredited metals and engineering training modules to upgrade the skills of employees of companies involved in the metals and engineering industry. The employees who participate in these courses will receive qualifications in the form of Statements of Attainment for the modules successfully completed. Karrayili Adult Education Centre is delivering training to community members in the Fitzroy Valley region. The courses being delivered are: Certificate of Office Skills Level I, Certificate of Retailing and Certificate of Industrial Skills (Core and Automotive modules). Geraldton Regional College of TAFE was contracted to deliver training to meet the specific needs of members of the Pia and Tootoo Wandj communities. A formal report listing the details of the training has not yet been received, however an interim progress report shows that training has been delivered in construction and horticultural skills.

## FAIR TRADING - AUSTRALASIAN PUBLISHING GROUP

*Scam*

2399. Mr BROWN to the Minister for Fair Trading:

- (1) Is the Minister aware of an article that appeared in *The West Australian* on 20 August 1997 concerning a scam operated by the Australasian Publishing Group?
- (2) Does the Minister intend to introduce any legislation to prohibit the type of trickery undertaken by that group?
- (3) If not, why not?

Mr SHAVE replied:

- (1) Yes.
- (2) The Fair Trading Act already prohibits false and misleading conduct. As the scheme originated in Queensland, the Ministry has contacted the Office of Consumer Affairs in Queensland. They have jurisdiction over this matter and will take appropriate action where necessary. The Ministry will continue to liaise with that agency to address the concerns of Western Australian consumers in regard to this issue.
- (3) Not applicable.

## JUVENILE JUSTICE - SUPERVISED BAIL PROGRAM

*Government's Commitment*

2406. Mr BROWN to the Parliamentary Secretary representing the Minister for Justice:

- (1) Does the Government have a commitment to the Juvenile Justice Supervised Bail Program?

(2) Will the program cease or be curtailed?

(3) If so, why and when?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following response:

(1) Yes.

(2) No.

(3) Not applicable.

#### MINISTRY OF JUSTICE - REVIEW

##### *Project Team - Changes*

2407. Mr BROWN to the Parliamentary Secretary representing the Minister for Justice:

(1) Further to question on notice 1642 of 1997, can the Minister advise if the papers prepared by the project team are publicly available?

(2) If not, why not?

(3) Have there been any changes to the project team?

(4) If so, what changes have there been?

(5) What is the reason for the change?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply.

(1) The Expression of Interest document and project briefing notes are publicly available.

(2) Not applicable.

(3) Yes.

(4) Dr Denzil McCotter, Ms Lisa Fanciulli, Miss Laurene Dempsey, Mr Gary Casey and Mrs Sharon Powell have accepted other positions. Recent additions to the team include Dr Ken Michael, Mr David McDermont, Mr Jeff Crookes, Mr Bob Stacey, Mr Tony Clayton and Mrs Sharon Hamilton.

(5) The composition of the Project Team will change as the need arises, such as replacing those moving to other areas and strengthening the team to reflect specialist needs, such as contract management experience.

#### PRISONS - PRIVATISATION

##### *Australasian Correctional Services - Access to Information*

2408. Mr BROWN to the Parliamentary Secretary representing the Minister for Justice:

(1) Further to question on notice 1638 of 1997, was Australasian Correctional Services given complete and open access to information that would enable them to make their recommendations on the existing prison system?

(2) If not, what information was withheld?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following response:

(1) Yes.

(2) Not applicable.

#### PRISONS - PRIVATISATION

##### *Australasian Correctional Services - Previous Experience*

2409. Mr BROWN to the Parliamentary Secretary representing the Minister for Justice:

(1) Does the company Australasian Correctional Services have any experience, involvement or previous involvement in the operation of private prisons?

- (2) If the Government opts for the construction of a private prison, will Australasian Correctional Services be given the opportunity to tender?
- (3) If so, why?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply.

- (1) Yes.
- (2) Government policy relating to the procurement of goods, services and infrastructure requires fair and open competition.
- (3) See (2) above.

#### PRISONS - AGREED MUSTER

##### *Establishment*

2410. Mr BROWN to the Parliamentary Secretary representing the Minister for Justice:

- (1) Further to question on notice 1639 of 1997, can the Minister advise if there is an agreed muster for each prison?
- (2) Who sets the agreed muster?
- (3) Who provides the professional opinion on whether the prison system is either -
  - (a) over-crowded; or
  - (b) over-crowded to the point where the situation is critical?
- (4) What are the benchmarks for this advice?
- (5) Is the advice based on national or international best practice?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1) Yes.
- (2) Ministry of Justice.
- (3) (a)-(b) Ministry of Justice.
- (4) Professional judgment not bench marking is applicable.
- (5) Not applicable.

#### ROTTNEST ISLAND - AUTHORITY

##### *Incident - Police and Ranger Involvement*

2414. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) On the weekend of 30 to 31 August 1997 was there any incident on Rottnest Island which caused the police and rangers to detain a group of visitors to the Island?
- (2) What was the nature of the conduct of the visitors, referred to earlier, that caused the police and the rangers to become involved?
- (3) What action did the police and/or rangers take?
- (4) Were the visitors or any of them guests of the Rottnest Island Authority or senior members of the Authority's administration?
- (5) Did any members of the Rottnest Island Authority make any representations to the police and/or rangers in relation to the group's conduct?
- (6) What representations were made to the police and/or rangers?

- (7) Was any attempt made by any member of the Rottnest Island Authority or its administration to have the police and/or rangers take a different course of action to that then planned by them?

Mr BRADSHAW replied:

- (1) No one was detained on the Island on the weekend of 30 and 31 August 1997.
- (2) A few young visitors (members of an under-15 football team) misbehaved.
- (3) The adults responsible for the team (parents) were advised of the behaviours of the boys concerned and asked to attend at the police station for further discussion.
- (4) One of the parents works for the Rottnest Island Authority but was visiting as a private citizen.
- (5) No representations were made. Routine discussions were held between the Authority management, Authority rangers and the Police. A decision was then taken to evict the whole contingent including parents.
- (6) None.
- (7) No.

#### ROTTNEST ISLAND - AUTHORITY

##### *Consultants - Selection and Payment*

2415. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Have any new administrative or other arrangements been implemented by the Rottnest Island Authority (the Authority) relating to the procedures to be followed when either minor or major works projects are proposed by lessees on the island?
- (2) Has the Authority engaged one or more consultants to advise the Authority on such proposals?
- (3) How many separate consultants have been engaged?
- (4) What is the name of each consultant?
- (5) What is the purpose of seeking advice from consultants?
- (6) How was each consultant selected?
- (7) Did the Authority go to tender through the normal process to select consultants?
- (8) What was the nature of the tender issued?
- (9) Who selected the consultant/s?
- (10) What was the total amount paid to each consultant in the 1996-97 financial year and to date in the 1997-98 financial year?
- (11) What caused the Authority to take the decision to engage such consultants?

Mr BRADSHAW replied:

- (1) Yes, the terms and conditions of each lease set out how the Lessee obtains consent to undertake alterations to the premises.
- (2) Yes, the consultant Adams & Associates Pty Ltd was engaged to assist the Authority on property management as an interim measure. The Authority has sought the advice of the Government Property Office in regard to outsourcing the property management of leases.
- (3) One.
- (4) Adams & Associates Pty Ltd.
- (5) The Authority required assistance in property management expertise.
- (6) Department of Contract and Management Services (CAMS) selected three consultants from its data base who had the skills to undertake the broad spectrum of project management of property upgrade. Those consultants submitted a proposal, were interviewed, with results analysed using CAMS analysis system. Adams & Associates was engaged in December 1995 by CAMS. The contract was extended in May 1997 to include interim property management services.

- (7) Yes.
- (8) To undertake project management and program management in the implementation of upgrade works of various leased premises and Authority premises.
- (9) A selection committee of CAMS and RIA representatives.
- (10) Adams & Associates Pty Ltd has been paid -
  - 1996/97 - \$3675
  - 1997/98 - \$60261.08
- (11) It required property management skills not available in Rottnest Island Authority.

#### COMMERCE AND TRADE - JOE WHITE MALTING PROJECT

##### *Cost and Australian Content*

2424. Mr BROWN to the Minister for Commerce and Trade:

- (1) Is the Minister aware of the Joe White Malting project?
- (2) What is the estimated cost of the project?
- (3) What work, in dollars and as a percentage of the total project cost, will be done on-site?
- (4) What is the nature of the work that will be done on-site?
- (5) What work, in dollars and as a percentage of the total project cost, will be done off-site?
- (6) What is the nature of the work to be done off-site?
- (7) Of the work to be done off-site, what work will be carried out in -
  - (a) Western Australia;
  - (b) Australia, but outside Western Australia;
  - (c) off-shore, outside Australia?
- (8) Do any Western Australian and/or Australian companies have the capabilities to carry out the work that has been done or is being planned to be carried out off-shore?
- (9) If so, what is the nature of the work that could be carried out in -
  - (a) Western Australia;
  - (b) Australia, but outside Western Australia?
- (10) Has the Government made any representations or held any discussions with the proponents of the project about having any of the work planned to be or being carried out off-shore done in -
  - (a) Western Australia;
  - (b) Australia, but outside Western Australia?
- (11) What is the nature and estimated cost of the work the Government has been successful in having carried out in Western Australia that was originally planned to be done off-shore?
- (12) What work is still planned to be conducted off-shore?
- (13) Can any of this work be carried out in -
  - (a) Western Australia;
  - (b) Australia, but outside Western Australia?
- (14) What reason/s has the proponent put forward, or what is the justification for this work being carried out off-shore?
- (15) Has that reason/s been accepted by the Government?

Mr COWAN replied:

- (1) Yes.
- (2) \$34 million, including land costing \$2 million.
- (3) Approximately \$5 million or 16% of the entire project, excluding land.

- (4) Building works, steel fabrication and erection, installation of process equipment and other site construction works.
- (5) Approximately \$27 million or 84%, excluding land.
- (6) Design work, supply of equipment.
- (7)
  - (a) Design work  
Fabrication of building elements  
Some building construction.
  - (b) Design work  
Supply of equipment, motors, fans, switchboards and PLC instrumentation.
  - (c) Specialised processing equipment  
Specialised conveying equipment  
Stainless steel perforated floor decking.
- (8) There is no capability within Western Australia or Australia other than specialised conveying equipment.
- (9) Refer to Question 8
- (10) (a)-(b) The government facilitated meetings between the company and the Industrial Supplies Office to fully ascertain what works could be undertaken locally.
- (11) The capability of Western Australian industry was known prior to the sourcing of any equipment from overseas and has been utilised. Therefore it has not been possible for any off-shore work to be transferred to Western Australia.
- (12) Specialised processing equipment  
Specialised conveying equipment  
Stainless steel perforated floor decking.
- (13) (a)-(b) See (8) above.
- (14) The only work done offshore is identified under 7(c) above. Of the equipment identified only the specialised conveyor system is available in Australia and Joe White Malting selected the equipment most commonly used in Europe.
- (15) Yes.

#### COMMERCE AND TRADE - JOE WHITE MALTING PROJECT

##### *Workforce Skills Assessment*

2428. Mr BROWN to the Minister for Commerce and Trade:

- (1) Is the Minister aware of the Joe White Malting Project?
- (2) Has an assessment been made of the nature of the workforce skills that will be necessary to complete the project?
- (3) Has an assessment been made on whether the skilled labour required for the project is available in Western Australia?
- (4) Does Western Australia have the skilled labour to meet the needs of the project?
- (5) Has an assessment been made on -
  - (a) skilled labour that will need to be obtained from either -
    - (i) other Australian States;
    - (ii) off-shore, outside Australia;
  - (b) what type of skills training will be required to meet the requirements of the project?
- (6) Will any skilled labour need to be imported from -
  - (a) other Australian States;
  - (b) off-shore, outside Australia?
- (7) What skills will be imported or are planned to be imported either from other Australian States or outside the country?

- (8) How many people are expected to be employed during the construction phase of the project?
- (9) How many -
- (a) apprentices;
  - (b) trainees;
  - (c) other people undertaking formal trade or other training are expected to be employed on the project during the construction phase?

Mr COWAN replied:

- (1)-(3) Yes.
- (4) Yes. The labour is generally available in Western Australia apart from that required for the installation of specialist overseas supplied equipment for the analysis required during the silo construction.
- (5) (a)-(b) Yes.
- (6) (a) Yes, for work associated with the ongoing analysis during the construction of the silos. This work has been completed.
- (b) Yes, specialist engineering support associated with the installation of imported equipment.
- (7) None, other than those detailed in (4) and (5)
- (8) An average of 30 persons over the twelve month construction program, peaking at 60 for a two month period.
- (9) (a) Four.
- (b)-(c) Unknown.

#### COMMERCE AND TRADE - NORTHBRIDGE TUNNEL PROJECT

##### *Workforce Skills Assessment*

2445. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Is the Minister aware of the Northbridge Tunnel project?
- (2) If so, what is the answer regarding the above project as detailed in part (2) to (9) of question on notice 2428 of 1997?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1) Yes, it is part of the Graham Farmer Freeway.
- (2) This project is being undertaken by contract and the issues raised are matters for the contractors to determine.

#### TRANSPORT - GRAIN FREIGHT

##### *CBH Silo Facility at Forrestfield - Workforce Skills Assessment*

2449. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Is the Minister aware of the Forrestfield Silos CB project?
- (2) If so, what is the answer regarding the above project as detailed in part (2) to (9) of question on notice 2428 of 1997?

Mr OMODEI replied:

The Minister for Transport has provided the following reply -

I presume the member is referring to the grain silo facility being constructed at Forrestfield by Co-operative Bulk Handling Ltd (CBH) and my answer is provided on that basis.

- (1) Yes. This installation will replace the North Fremantle facility, reducing heavy haulage movements throughout the metropolitan area.

- (2) Co-operative Bulk Handling Ltd is a private organisation and its actions in relation to the questions asked are not matters which fall within the jurisdiction of my Portfolio.

ENVIRONMENT - BUNGLE BUNGLES

*World Heritage Listing*

2472. Dr EDWARDS to the Minister for the Environment:

- (1) What action has been undertaken to have the Bungle Bungles world heritage listed?
- (2) What consultation has occurred with Aboriginal communities?

Mrs EDWARDES replied:

- (1) The Government has committed to requesting the Federal Government to nominate the Purnululu Massif, otherwise known as the Bungle Bungles, for World Heritage listing. I have met with, and exchanged correspondence with, the Federal Minister for the Environment, and the Department of Conservation and Land Management and the Commonwealth agency Environment Australia have entered into an agreement for a two-phase assessment process. The first phase involves assessment of the area's values based on existing information. The second phase involves preparation of a draft nomination document subject to approval by the Western Australian and Federal Governments. Stakeholder consultations, including with Aboriginal communities, are scheduled for the second phase. The current situation is that the CSIRO Division of Wildlife and Ecology, which was contracted to conduct the assessment, has completed the Phase I report which is now being considered. Phase II has not commenced.
- (2) See answer to (1).

LAND - LANDCORP

*Minim Cove - Payments to Planners, Engineers and Contractors*

2475. Dr EDWARDS to the Minister for Lands:

- (1) How much has LandCorp paid to -
- (a) planners;
  - (b) engineers; and
  - (c) contractors,
- on the Minim Cove Project to this date?
- (2) How much has Octennial Holdings paid towards the costs of -
- (a) planners;
  - (b) engineers; and
  - (c) contractors,
- on the Minim Cove Project to date?

Mr SHAVE replied:

- (1)
- (a) \$45,970
  - (b) \$540,303
  - (c) \$5,202,972
- (2)
- (a) Octennial Holdings have met their own costs in respect of planning.
  - (b) Octennial Holdings have met their own costs in respect of engineers except for supervision of the clean up - the costs of which will form part of their proportional payment.
  - (c) Proportional payment to be made secured by bank guarantee.

ENVIRONMENTAL PROTECTION AUTHORITY - POLICIES

*Tabling*

2478. Dr EDWARDS to the Minister for the Environment:

- (1) Further to question on notice 307, has the Environmental Protection Authority finished developing its position on -



- (a) shallow and deep well injection disposal;
- (b) rangelands; and
- (c) Pilbara development?

(2) If so, will the Minister table the above?

Mrs EDWARDES replied:

- (1)-(2) The Environmental Protection Authority (EPA), in conjunction with the Department of Environmental Protection (DEP), has commenced the on-going development of policies for environmental factors. The policies will present the EPA's view on these factors when carrying out Environmental Impact Assessment of a proposal and are compiled as "Policies, Guidelines and Criteria for Environmental Impact Assessment".

Draft Policies for Deep and Shallow Well Injection for Hazardous Waste, and for Rangelands (State) Protection have been developed and, at this stage, stakeholders will be invited to comment. After review by the EPA on the basis of stakeholder comment, the policies become 'preliminary' and available for public comment. The iterative process of review and release is carried out to the final release of an EPA policy as set out in the explanation pamphlet.

Although the EPA is preparing relevant Policies for EIA (such as a mangroves policy) and undertaking major research studies in water and air quality, a "Pilbara development" policy, as such, has not been developed. However, the EPA has recently outlined its position on development in the Pilbara through advice provided under section 16(e) of the Environmental Protection Act, on the Burrup Structure Plan and is preparing advice on the Boodarie industrial area.

I table copies of the draft Policies for Deep and Shallow Well Injection for Hazardous Waste, and for Rangelands (State) Protection, as well as the explanatory pamphlet. [See paper No 877.]

#### ENVIRONMENT - TEMPORARY CONTROL AREAS

##### *Number Classified*

2480. Dr EDWARDS to the Minister for the Environment:

- (1) How many Temporary Control Areas have been classified under section 62 (1)(d) of the Conservation and Land Management Act 1984 during -
- (a) 1996;
  - (b) 1997?
- (2) What land was covered by each notice?

Mrs EDWARDES replied:

- (1) (a)-(b) None.
- (2) Not applicable.

#### RESOURCES DEVELOPMENT - DOCUMENTS

##### *Battye Library - Restricted Access*

2481. Dr EDWARDS to the Minister representing the Minister for the Arts:

- (1) Why do documents held at the Battye Library relating to resource developments in the late 1960s and 1970s have restricted access?
- (2) Who can gain access?
- (3) When was the restriction imposed and on whose advice?
- (4) When will the restriction be lifted?
- (5) What documents are covered by this restriction?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following response:

- (1) The records in question are those of the Department of Resources Development and are held by the Public Records Office; not the Battye Library. The Public Records Office is a directorate within The Library and

Information Service of Western Australia and operates in accordance with The Library Board of Western Australia Act 1951-1983. Section 32(3) of that Act permits a government agency that has transferred government archives to the Library Board's custody, to impose reasonable restrictions on access to those records. Section 32(4) requires the Library Board to comply with a restriction imposed in terms of Subsection (3).

- (2) The Public Records Office would provide public access to the records if authorised by the Department. Application should be made direct to the Department of Resources Development.
- (3) The then State Archivist was advised in September 1989 by the Ministry of Economic Development and Trade that files of the Department of Resources Development would be restricted from public access for thirty years. The arrangement was confirmed by the Department of Resources Development in August 1997.
- (4) When the records in question reach 30 years of age.
- (5) Files of the Department of Resources Development and its predecessor (ie pre May 1980), the Department of Industrial Development.

#### POLLUTION - MINIM COVE

##### *Testing - Frequency and Statistical Validity*

2485. Dr EDWARDS to the Minister for the Environment:

- (1) How many tonnes of waste containing iron have been isolated on site at Minim Cove, McCabe Street, Mosman Park?
- (2) How many tonnes are in ferrous form?
- (3) How many are in the ferric form?
- (4) What testing was done to determine this?
- (5) What advice has the Department of Environmental Protection received regarding toxicity of ferrous iron from the Health Department?
- (6) What testing has been done on the area "cleaned up" to determine if levels of ferrous iron are below that which can possibly cause injury to young children?
- (7) What is the frequency and statistical validity of that testing?

Mrs EDWARDES replied:

- (1)-(4) Virtually all of the wastes at the site contain varying degrees of iron. Foundry wastes contain a significant proportion of iron, whereas contaminated limestone contains only trace quantities. Whether this iron is in the ferric or ferrous form has not been considered relevant to the remediation activities undertaken at McCabe St. This is by virtue of the minimal potential for contaminants to enter the food chain with the containment technique adopted. The bulk of the waste has been placed in an engineered containment cell for the express purpose of limiting both water ingress and public contact. The remainder of the site will be rehabilitated to stringent ANZECC and NHMRC guidelines for the protection of human health.
- (5)-(7) In relation to the health impacts of the ferric form of iron, the toxicity effects are well known, but not relevant as there is no pathway for ingestion. An extensive programme of site validation has already taken place. The results of heavy metal and other parameters analysed during this programme indicates compliance with ANZECC and NHMRC criteria. The final release of the site for development will follow a site audit of the remaining area, and general validation following accepted protocols. Sample selection and treatment will be based on good statistical practice.

#### HEALTH - LEAD TOXICITY

##### *Children - Acceptable Levels*

2486. Dr EDWARDS to the Minister for Health:

- (1) How many milligrams of ferrous iron are fatal to a two year old child on average?
- (2) How many milligrams of ferrous iron are toxic to a two year old child?

- (3) What advice does Princess Margaret Hospital for Children Poisons Department give regarding the toxicity of ferrous iron?
- (4) What is the toxicity of ferro-cyanide complexes to children?
- (5) What levels are considered to be unacceptable for children?

Mr PRINCE replied:

- (1) Minimum lethal dose greater than 60mg/kg of elemental iron  
(2 year old = 13kg - gives 780 mg)
- (2) Potentially toxic dose: 20 to 60 mg/kg  
(13 kg gives 260 mg to 780 mg)
- (3) Generally advise treatment at about 20 mg/kg of elemental iron (this is usually converted to the amount of iron salt/number of tablets etc.)
- (4) No specific information on ferro-cyanide\*.
- (5) No specific information on ferro-cyanide\*.

\* one reference gives a probable lethal dose of 0.5 to 5g/kg

#### POLLUTION - MINIM COVE

##### *Containment Cell - Removal*

2489. Dr EDWARDS to the Minister for Lands:

- (1) If the containment cell at Minim Cove, Mosman Park needs to be removed before completion of the clean up will the co-developer Octennial Holdings be responsible for the estimated 7 per cent of the maximum \$70 000 000 to \$150 000 000 clean up cost?
- (2) If the containment cell at Minim Cove, Mosman Park needs to be removed after completion of the clean up will the co-developer Octennial Holdings be responsible for the estimated 7 per cent of the maximum \$70 000 000 to \$150 000 000 clean up cost?
- (3) What credit checks has LandCorp done to ensure that Octennial Holdings can pay the amount estimated as much as \$10 500 000?

Mr SHAVE replied:

- (1)-(3) There is no proposal to excavate the containment cell which has been assessed environmentally. Waste surplus to the containment cell capacity, which may be removed from site, will be included in the final costs for which Octennial Holdings will be liable to pay their proportional amount.

#### ENVIRONMENT - MINIM COVE

##### *Heavy Metals Testing*

2490. Dr EDWARDS to the Minister for the Environment:

- (1) Did the Maunsell 1986-87 report suggest that the bottom of the aquifer should be tested for heavy metals?
- (2) Has that testing been done?
- (3) If yes, what were the results of that testing?
- (4) If no, on what grounds can the Environmental Protection Authority (EPA) validate the impossibility of movement of heavy metals to the base of the aquifer as such?
- (5) Will the EPA test the base of the aquifer?

Mrs EDWARDES replied:

I assume that this question relates to rehabilitation works being undertaken at McCabe St, although there is no clear indication given that this is the case.

- (1) Yes. The Public Environmental Report of the then Landbank Proposed Development at McCabe Street prepared by Maunsell and Partners Pty Ltd draws reference to an earlier recommendation from a 1984

Geological Survey of Western Australia report on the site which suggests an existing bore be extended to the base of the aquifer.

- (2) Yes. A series of nested bores has been developed to measure water quality change as a consequence of the construction of the containment cell. Three bores extend to the base of the superficial aquifer.
- (3) The bores have been sampled on a number of occasions and results to date indicate that there is no contamination of the base of the aquifer as a consequence of the construction and placement of waste into the containment cell.
- (4) Not applicable.
- (5) Testing is being undertaken.

#### SPORT AND RECREATION - CLAREMONT SPEEDWAY AND RAVENSWOOD RACEWAY

##### *Noise Surveys*

2491. Dr EDWARDS to the Minister for the Environment:

- (1) Have noise surveys been carried out at the present Claremont Speedway and the present Ravenswood Raceway?
- (2) If so, why were these surveys carried out?
- (3) Will the Minister table the results of these surveys?

Mrs EDWARDES replied:

- (1) Noise surveys have been carried out at both venues.
- (2) At Claremont, to provide information on the nature of the issue and to provide sound power data on speedway vehicles for noise prediction modelling. At Ravenswood, to provide information to assist in the development of the exemption order, granted under section 6 of the Environmental Protection Act, to operators of the raceway and to provide sound power data on drag racing vehicles for noise prediction modelling.
- (3) Yes. [See paper No 878.].

#### DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - YANCHEP

##### *Accommodation Upgrading*

2495. Dr EDWARDS to the Minister for the Environment:

Further to question on notice 1977 of 1997 what options is the Department of Conservation and Land Management investigating with regard to upgrading accommodation at Yanchep National Park?

Mrs EDWARDES replied:

The Department of Conservation and Land Management (CALM) is costing the renovation of the upstairs of the Yanchep Inn to a standard of accommodation consistent with its heritage values. Redevelopment options include CALM contracting the redevelopment itself, including using grant funding, or incorporating the redevelopment in a re-advertised call for expressions of interest in leasing the facility.

#### TURNER COMMITTEE - REPORT

2496. Mr CARPENTER to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Is the Turner committee's report going to be released publicly?
- (2) If yes, when?
- (3) If no, why not?

Mr MARSHALL replied:

- (1) No decision has been made as to whether the report will be released.
- (2)-(3) Not applicable.

## OCCUPATIONAL HEALTH AND SAFETY - TASK FORCE

*Mining Industry*

2509. Mr BROWN to the Minister representing the Minister for Mines:

- (1) Has the Minister or the Department of Mines established a task force in Occupational Health and Safety in the mining industry to examine mine deaths and/or other matters?
- (2) Has the task force any terms of reference?
- (3) What are the terms of reference?
- (4) Will the task force invite members of the public to make submissions to it, either orally or in writing?
- (5) If not, why not?
- (6) If so, will public advertisements be in place to ensure members of the public are alerted to this opportunity?
- (7) If not, why not?
- (8) If so, when?

Mr BARNETT replied:

(1)-(2) Yes.

(3) The terms of reference are:

- i. To review the incidences and causes of fatalities in the past three years, with a particular focus on the seven deaths which have occurred in the past four months; and
- ii. Advise the Minister as to the strategies which the Mines Occupational Safety and Health Advisory Board (MOSHAB) considers should be adopted for a whole of industry approach to the elimination of fatalities and serious disabling injuries, and in particular those caused by rockfalls in underground mining. The strategies should be sufficiently defined to allow the development of an action plan after the report is completed.

The Taskforce has developed a scope for the investigation and has agreed to consider all issues raised through public submissions.

- (4) Yes.
- (5) Not applicable.
- (6) Yes.
- (7) Not applicable.
- (8) Invitations for public submissions to the Taskforce were recently made through:
  - Advertisements in the metropolitan and regional newspapers;
  - Advertisements and interviews on local radio;
  - Posters were distributed to all Registered Mine Managers for use on staff notice boards, to major Mining contractors, major Mining Unions and Occupational Health and safety consultants; and
  - Promotion in the MINESAFE journal.

## ROADS - CITY NORTHERN BYPASS

*Trees in Path of Construction - Relocation*

2536. Ms WARNOCK to the Minister representing the Minister for Transport:

- (1) Can the Minister explain by what criteria the six trees in Weld Square were selected as being worthy of relocation from the path of the Northbridge Tunnel?
- (2) Can the Minister explain which of these criteria the London Plane Trees in Parry Street failed to fulfil?

- (3) Can the Minister explain why the trees in Hamilton Square will not be saved from the construction of the City Northern Bypass?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1) The criteria included aesthetic, amenity and heritage values, chances of survival, cost and available relocation sites.
- (2) Their general poor condition and the knowledge that visual amenity will be reestablished by extensive landscaping.
- (3) Sufficient numbers of mature trees will be saved to ensure that the aesthetic amenity and heritage aspects are maintained. Hamilton Square will also benefit from additional landscaping.

#### ROADS - CITY NORTHERN BYPASS

##### *Contract - Terms*

2539. Ms WARNOCK to the Minister representing the Minister for Transport:

- (1) What is the nature of the contract signed by the Main Roads Department with Northern City Bypass contractors Boulderstone Clough J.V. to build the tunnel?
- (2) Did this contract specify that the tunnel should be built section by section, to avoid too much disruption to residents and businesses in the area?
- (3) If not, what were the specific construction requests made by Main Roads to the contractors?
- (4) Was any start and completion time for each section of the tunnel and road indicated in the contract?
- (5) Is there any date yet for the release of the land above the tunnel for purchase?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1) It is a "design and construct" contract.
- (2) Yes.
- (3) Not applicable.
- (4) The site is being handed over to the contractor on a section by section basis. There is no contractual time for hand back by the contractor, other than the completion date. However, an indicative timetable for hand back by section was prepared.
- (5) Negotiations are in progress between the contractor, Ministry of Planning and Main Roads to agree orderly access to the land above the tunnel for the Northbridge Urban Renewal project.

#### TOTALISATOR AGENCY BOARD - ALBANY-MT BARKER

##### *Broadcasting Licence*

2541. Ms WARNOCK to the Minister representing the Minister for Racing and Gaming:

- (1) When will the Totalisator Agency Board get a licence for broadcasting racing in the Albany-Mt Barker area?
- (2) When can a date be set for the actual start of broadcasting?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:

- (1)-(2) While the TAB has secured a licence for the Albany/Mt Barker area when it successfully bid for a number of country licences recently released by the Australian Broadcasting Authority, the significant cost of establishing transmitters has meant that the Albany/Mt Barker area has yet to be allocated a priority for transmission to commence.

## DISABILITY SERVICES - CULTURALLY DIVERSE BACKGROUNDS

*Federal Government Funding Cuts - Impact Assessment*

2548. Ms WARNOCK to the Minister for Disability Services:

- (1) Has the Minister's department undertaken an impact assessment on services to culturally and linguistically diverse background clients as a result of the recent cut-backs in federal funds by the Federal Minister for Immigration and Multicultural Affairs?
- (2) Will the Minister make this assessment available for public comment?
- (3) Will the Minister allocate extra funds to -
  - (a) meet the demand for increased interpreter services;
  - (b) make disability programs available for those of culturally and linguistically diverse backgrounds;
  - (c) provide services for individuals from culturally and linguistically diverse backgrounds?

Mr OMODEI replied:

- (1) No.
- (2) Not applicable.
- (3) (a) Demand for interpreter services will be met from existing operational budgets of DSC funded and provided services.
- (b)-(c) The DSC recently endorsed a policy to address the needs of ethnic people with disabilities. It has established a committee comprising representatives from key ethnic community organisations and functional areas within the DSC to implement this policy. Three major initiatives that are in various stages of implementation are:
  - \* Seven community consultation forums (3 in the metropolitan areas and 4 in regional areas) to identify the barriers that limit the access of ethnic people with disabilities to funded and provided services and determine how they can be effectively overcome.
  - \* Survey of DSC funded and provided services to ascertain how they are addressing the needs of ethnic people with disabilities and to establish what assistance is needed in this regard.
  - \* Compilation of an "ethnic disability profile" using data collected by relevant State and Commonwealth agencies, in order to enhance policy development and program planning which will more effectively meet the needs of ethnic people with disabilities. In addition to these policy commitments and initiatives, the needs of ethnic people with disabilities are also addressed through DSC's Language Services Policy and Plan, the implementation of its Customer Services Charter and the implementation of the recently announced WA One Guidelines.

It is a requirement of DSC's inclusive approach that all provided and funded services address the needs of ethnic people with disabilities within their operational budgets. In addition to ensuring access to generic programs and services, the DSC also provides \$35,613 per annum to the Ethnic Disability Advocacy Centre to provide information and advocacy services for people with disabilities.

## HOMESWEST - BASSENDEAN

*Real Estate Agents - Rental Property Management*

2555. Mr BROWN to the Minister for Housing:

- (1) Is Homeswest using any private real estate agents to manage Homeswest rental property anywhere in the Bassendean electorate?
- (2) If so, does Homeswest insist the normal Homeswest rental payments and subsidies apply?
- (3) Has Homeswest entered into any arrangements with private real estate agents under which such agents manage Homeswest rental property?
- (4) If so, in any such arrangements do tenants pay the normal Homeswest rate including the subsidised rate?

Dr HAMES replied:

- (1),(3) Yes. Perth Management Services have been appointed to manage Homeswest properties awaiting demolition, redevelopment, sale or have no demand on a short term lease basis.
- (2),(4) No. Market rents are charged.

#### HOMESWEST - ASHFIELD

##### *Essential Maintenance Only Homes - Demolition*

2556. Mr BROWN to the Minister for Housing:

- (1) How many Homeswest homes in Ashfield are earmarked for essential maintenance only?
- (2) Are all of those homes earmarked for demolition?
- (3) If not, which homes are only earmarked for essential maintenance and not demolition?
- (4) What is the target date for demolition of each house?

Dr HAMES replied:

- (1) Currently 47. However, this figure will vary over time.
- (2) No. Homeswest's redevelopment strategy includes the sale of properties on the open market and to tenants in occupation as well as the demolition and redevelopment of properties.
- (3) Properties which are to be sold or redeveloped.
- (4) Homeswest is unable to provide a target date of each demolition because it is contingent upon several unknown factors such as tenant relocation and applications to purchase. I understand the member has attended recent public meetings on this project. Homeswest's Regional Manager, Mr Shane Edmonds, has reaffirmed his commitment to keep the member informed of all progress or changes to the project.

#### INDUSTRIAL DEVELOPMENT - BHP

##### *Hot Briquetted Iron Plant - Local Content*

2572. Mr KOBELKE to the Premier:

- (1) What is the percentage local content for the BHP hot briquetted iron plant at Port Hedland?
- (2) Will the Premier table the detailed figures on the percentage of local content and how it was achieved at the BHP hot briquetted iron plant?
- (3) If not, why not?

Mr COURT replied:

- (1) The percentage local content for the BHP-DRI project as at September 1997 is 67% Australian, 33% overseas.
- (2) No.
- (3) The detailed information is commercial in confidence to the Department and is provided under the terms of the State Agreement Act.

#### FAIR TRADING - BUSINESS NAMES

##### *Registration - Amending Legislation*

2586. Mr McGOWAN to the Minister for Fair Trading:

- (1) Does the Government propose to change the law relating to the registration of business names?
- (2) What will be the overall impact and scope of those changes?
- (3) Do fair trading laws prevent the use of the same or similar names for different businesses?
- (4) If not, why not?
- (5) What are the methods of enforceability of any laws in this area?



- (6) Is the Minister aware of the situation relating to Wadley's Panel Beaters and Wadley's Towing in Rockingham?
- (7) If yes, does the Minister propose to do anything about this matter?
- (8) If not, why not?

Mr SHAVE replied:

- (1)-(2) The Business Names Act 1962 is likely to be reviewed next year under the Government's commitment to National Competition Policy. It is possible changes may be recommended which the Government will consider at the appropriate time.
- (3)-(4) The Business Names Act 1962 precludes the registration of a business name that is too similar to any name that is already registered under the Act irrespective of whether or not there is a different nature of business. In assessing the similarity of names, the Business Names Office will not normally refuse to accept names for registration where there are distinguishing words which when written or spoken make it clear that a proposed name is different from one already registered.
- (5) Where breaches of the legislation are identified, action is taken to have parties comply. Failure to comply could result in prosecution action being taken.
- (6) I am aware that the business names "Wadley's Towing" and "Wadley's Panel Beaters" have been registered.
- (7) No.
- (8) The business names "Wadley's Towing" and "Wadley's Panel Beaters" are, for the purpose of the Act, sufficiently different to co-exist on the register.

#### HOSPITALS - COUNTRY

##### *Obstetrics Services - Number and Location*

2587. Mr RIEBELING to the Minister for Health:

- (1) How many hospitals in country Western Australia are currently equipped to provide obstetric services?
- (2) Where are these hospitals?
- (3) Are there any hospitals in country Western Australia currently being upgraded to provide obstetric services in the near future?
- (4) When will the upgrades be completed?

Mr PRINCE replied:

- (1) 56 rural hospitals are "equipped" to provide obstetrics.
- (2) Northam, York, Katanning, Bruce Rock, Corrigin, Cunderdin, Quairading, Kununurra, Wyndham, Halls Creek, Port Hedland, Newman, Kununoppin, Kellerberrin, Wyalkatchem, Carnarvon, Exmouth, Onslow, Geraldton, Albany, Denmark, Plantagenet, Mullewa, Morawa, North Midlands, Meekatharra, Laverton, Leonora, Mandurah, Pinjarra, Esperance, Norseman, Narrogin, Wagin, Lake Grace, Boddington, Busselton, Margaret River, Augusta, Warren, Bridgetown, Pemberton, Collie, Donnybrook, Harvey, Derby, Fitzroy, Broome, Wickham, Karratha, Roebourne, Paraburdoo, Tom Price, Dalwallinu, Wongan Hills and Moora.
- (3) No.
- (4) Not applicable.

#### PORT KENNEDY - RESORT

##### *Sale of Units*

2595. Mr McGOWAN to the Minister for Lands:

- (1) What is the current status of the Port Kennedy Resort Development?
- (2) Are there sales of units currently being undertaken by the Port Kennedy Resort Development?
- (3) Are these sales complying with the terms of the Port Kennedy Development Agreement Act 1992?

Mr SHAVE replied:

- (1) Staged development is occurring and 31 Crown Grants have been issued to Port Kennedy Resorts Pty Ltd in accordance with the *Port Kennedy Development Agreement Act 1992*.
- (2) Port Kennedy Resorts Pty Ltd has sold some of the 31 Crown Grants that have been issued to the company. My portfolio responsibilities do not extend to monitoring freehold land development and I am therefore unable to comment on what type of accommodation is proposed for each individual lot.
- (3) The *Port Kennedy Development Agreement Act 1992* does not deal with the subject of sales.

ROADS - READ STREET

*School Zone - Speed Reduction*

2596. Mr McGOWAN to the Minister representing the Minister for Transport:

- (1) Will the Government reduce the speed limit on Read Street outside Rockingham Senior High School?
- (2) If not, why not?
- (3) Does the Government recognise that the speed limit outside Rockingham Senior High is too high and is endangering school students and crossing guards?

Mr OMODEI replied:

The Minister for Transport has provided the following response -

I refer the member to my response to Parliamentary Question on Notice 2083.

TRANSPORT - BUS

*Rockingham Station - Security*

2597. Mr McGOWAN to the Minister representing the Minister for Transport:

- (1) Does the Government plan to upgrade security at the Rockingham bus station?
- (2) What measures has the Government put in place to improve security at present?
- (3) Will the Government ensure a free phone is installed at the bus station?
- (4) Will the Government install an intercom system direct to the local police station(s) at the Rockingham Bus Station?
- (5) Will the Government install security cameras?
- (6) Will the Government put in permanent security guards?

Mr OMODEI replied:

- (1),(6) Existing funding provides for the attendance of two highly trained security officers from Secureforce International operating as static guards at the Rockingham Bus Station for a total of 65 hours per week. Dedicated security personnel are therefore in attendance from Monday to Friday for in excess of 10 hours per day.
- (2) The security level referred to in answer to question (1) represents an upgrade of 30% in the level of security, which was implemented during the last week. In addition to this measure, dedicated patrols are provided on a regular basis seven nights per week, with additional patrols on Saturdays and Sundays.
- (3) Telephones were previously located at the bus station, but removed by Telstra as a result of the high incidence of vandalism. Transport has recently arranged for the installation of two pay phones at the bus station.
- (4) The Government has considered the installation of an intercom system linked to the local police station, for this bus station and others, and is seeking advice from Secureforce International.
- (5) Sophisticated security video surveillance cameras have been installed at both the Mirrabooka and Morley bus stations, which are linked to central monitoring at the City Busport. The installation of similar linked surveillance systems at other locations, including Rockingham bus station, will be dependent upon the success of the systems at Mirrabooka and Morley.

## HEALTH - DENTAL

*Rockingham Clinic - Increase in Number of Dentists*

2598. Mr McGOWAN to the Minister for Health:

- (1) How many dentists are based at the Rockingham Dental Clinic?
- (2) Will the Government provide the clinic with more dentists?
- (3) If so, when?
- (4) What is the current waiting list at the Rockingham Dental Clinic?

Mr PRINCE replied:

- (1) Five.
- (2) Not at this stage.
- (3) Not applicable. This will be reviewed as part of the budget planning process for the 1998/99 financial year.
- (4) Twenty months for general care, same day for emergency care.

## LAND - ROCKINGHAM

*Stan Twight Reserve - Designation*

2599. Mr McGOWAN to the Minister for Lands:

- (1) Will the Government officially designate the park known as the "Stan Twight Reserve" in Rockingham, as such?
- (2) If not, why not?

Mr SHAVE replied:

- (1) The Government will not, at this time, officially designate the park known as "Stan Twight Reserve" in Rockingham.
- (2) Local Government reserves up to 1 ha are able to be named after living persons under current policy, developed in consultation with local government. This reserve is about 6 ha and therefore outside existing policy.

## ROADS - TAX

*Annual Income*

2601. Mr BLOFFWITCH to the Minister representing the Minister for Transport:

- (1) What is the expected annual income from the State Road Tax which was recently introduced?
- (2) How much of this tax is being used for the metropolitan (ie. Northbridge Tunnel) as against country areas?
- (3) What amount of fuel is consumed in the city as against the country?
- (4) Are some country road construction projects being finished early because money has been re-directed to the Northbridge Tunnel?

Mr OMODEI replied:

The Minister for Transport has provided the following responses:

- (1) There is no State Road Tax.
- (2) Not applicable.
- (3) Australian Bureau of Statistics figures show that approximately 61 per cent of vehicle Kilometres travelled is in the Metropolitan area.
- (4) No.

SCHOOLS - HIGH

*Derby - Upgrading*

2605. Dr GALLOP to the Minister for Education:

- (1) Are there any plans in place to upgrade the Derby High School that will allow this school to run courses for years 11 and 12?
- (2) If yes, when will the upgrade commence?

Mr BARNETT replied:

- (1) Planning for improved provision of education at Derby District High School will commence in the near future under the Local Area Education Planning Framework. It is expected that plans for the area will be submitted for decision making in late 1998. From 1998, under the new Staffing Formula, Derby District High School will receive an additional staffing allocation so that T.E.E. students are not unduly disadvantaged. The level of additional support will be dependent on the number of TEE students at the school in 1998. In addition, Derby District High School has been allocated \$3,400 to advance Vocational Education programs in 1998.
- (2) Not applicable.

HOSPITALS - DERBY

*Stage Four Development - Commencement*

2607. Dr GALLOP to the Minister for Health:

- (1) Will the Minister confirm the Government's intention to proceed with the planned stage four development of the Derby Hospital?
- (2) If yes, when will the stage four development commence?

Mr PRINCE replied:

- (1)-(2) I have recently announced a strategic review process for planning of Health Service needs in the North West which will culminate in recommendations for future capital development based on the planning process, community needs, priorities, and future regional developments. Government will review the outcome of this process and take appropriate decisions.

EDUCATION - KIMBERLEY

*Hostel Accommodation - Construction*

2610. Dr GALLOP to the Minister for Education:

Given the chronic need for hostel accommodation for secondary school students in the Kimberley region -

- (a) what plans does the Minister have for the construction of suitable hostels;
- (b) when can families living in the Kimberley expect to see action being taken in this regard?

Mr BARNETT replied:

- (a) For many years, the Government has monitored the level of demand for residential hostel facilities for isolated students in the Kimberley. The closure of two non-government hostels over the past few years suggested that a viable level of demand did not exist. However, the recent development of upper secondary education courses in Broome and Kununurra has led to an increase in the number of Kimberley families choosing to access the local facilities in preference to those in Perth and Darwin.

In light of these developments, the Government established an interagency working party in May 1997 to examine the current feasibility of establishing residential hostel accommodation for isolated Aboriginal students across the state, particularly in the North West.

- (b) The working party will report to the Government by December, 1997. A decision will be made following due consideration of this report.

## HEALTH - ABORIGINAL HEALTH IN THE EAST KIMBERLEY REPORT

*Tabling*

2611. Dr GALLOP to the Minister for Health:

- (1) Has the Minister received a report on Aboriginal Health in the East Kimberley?
- (2) If yes -
  - (a) will the Minister table the report in Parliament; and
  - (b) when can the House expect the report to be tabled?

Mr PRINCE replied:

The member's question is not clear. Over the years there have been a number of reports on Aboriginal Health issues for the Kimberley region. If the member could be more specific, I will endeavour to assist.

## SCHOOLS - HIGH

*Kununurra District - Aboriginal Workers*

2613. Dr GALLOP to the Minister for Education:

- (1) Is there a high turnover of Aboriginal workers at the Kununurra District High School?
- (2) If yes -
  - (a) what is the cause of this problem; and
  - (b) what is being done to address this problem?

Mr BARNETT replied:

- (1) No. Kununurra District High School currently employs five Aboriginal Education Workers. There have been two resignations in 1997 (one in February and one in June 1997) and there was one resignation in 1996. This is not considered high, particularly having regard for normal trends with this category of employee.
- (2) Not applicable.

## SCHOOLS - HIGH

*Kununurra District - Students with Learning Disabilities*

2614. Dr GALLOP to the Minister for Education:

- (1) Is the Minister aware of the lack of resources (especially staff resources) at the Kununurra District High School to cater for students with learning disabilities?
- (2) If yes -
  - (a) what action is being taken to remedy this situation; and
  - (b) when will the appropriate action be implemented?
- (3) If no, will the Minister seek an urgent report on the matter and take the action required to remedy this situation?

Mr BARNETT replied:

- (1) Kununurra District High School is resourced appropriately to support learning difficulties. In addition to a specialised Education Support Teacher, the school has 2.2 FTE teacher aide time to assist individual students with learning difficulties. A learning difficulties action plan has been developed in the school to support individual and groups of students experiencing learning difficulties.

For the implementation of this plan, the school has received an additional staffing allocation of 1 FTE for an Aboriginal Education Specialist Teacher and 0.7 FTE for specialist support in the areas of language and numeracy. Also available to the school through the School Age Therapy Service, via the Health Department, in Kununurra are:

- a speech pathologist;
- an occupational therapist; and
- a physiotherapist.

(2)-(3) Not applicable.

#### COLLEGES OF TAFE - BROOME

##### *Upgrade*

2615. Dr GALLOP to the Minister for Employment and Training:

- (1) Is the Minister aware of the need for a major upgrade to the TAFE facility in Broome to cater for the large number of post secondary students who do not attend university?
- (2) If yes -
  - (a) what action is the Minister taking to ensure these students have access to TAFE studies; and
  - (b) when will this action be implemented?

Mrs EDWARDES replied:

- (1) Yes. The Department of Training Capital Works Program for 1997/98 includes a new Broome campus of the Kimberley College of TAFE. Planning is underway and construction is scheduled for 1998/99. The total estimated cost for the project is \$3 million.
- (2) (a)-(b) The department plans to increase TAFE delivery for Kimberley College by 26.52% for 1997 over three years to reach 334,000 student contact hours in the year 2000.

#### SEWERAGE - BROOME

##### *Overflow - Remedial Action*

2616. Dr GALLOP to the Minister for Water Resources:

- (1) Is the Minister aware of a problem of periodic overflow of the sewerage ponds in Broome?
- (2) If yes -
  - (a) is there any action proposed to overcome this problem; and
  - (b) when will this action commence?
- (3) If no, will the Minister review this situation to prevent further overflow occurring?

Dr HAMES replied:

- (1) Yes.
- (2) (a) The Water Corporation is currently upgrading the effluent re-use facility in Broome. The expansion of the Broome Golf Course from 9 to 18 holes will enable additional effluent to be used for turf watering.  
(b) This work commenced on 15 October 1997.
- (3) Not applicable.

#### PORTS AND HARBOURS - BROOME

##### *Sheltered Harbour and Floating Pontoon*

2617. Dr GALLOP to the Minister representing the Minister for Transport:

- (1) Has the Government previously given a commitment to provide a sheltered harbour and floating pontoon for the Broome harbour?
- (2) If yes, when will this commitment be met?

Mr OMODEI replied:

- (1) The Government has indicated that it will proceed with planning for a suitable floating breakwater for the Broome Jetty.
- (2) Currently the Port is finalising the design of a floating breakwater for Broome Jetty and funding has been sought from the 1998/99 budget.

#### TRANSPORT - BUS

##### *Rosehill Estate - Provision of Service*

2620. Mrs ROBERTS to the Minister representing the Minister for Transport:

- (1) What is currently being done to address the public transport needs of South Guildford and the Rosehill Estate?
- (2) When can Rosehill Estate residents expect an adequate bus service?

Mr OMODEI replied:

- (1)-(2) South Guildford already has good links to Perth and Midland via Transperth Route 306. There are additional links to High Wycombe/Maida Vale and Kalamunda via Routes 300, 302. The Rosehill Estate will be linked to Midland by a new service, Route 304, which will be introduced this month.

#### PRISONS - PRISONERS

##### *DNA Testing - Government Policy*

2622. Mrs ROBERTS to the Parliamentary Secretary to the Minister for Justice:

- (1) Is the proposal for DNA testing from prisoners, currently in the Western Australian prison system, Government policy?
- (2) Is this proposal to incorporate DNA testing from all prisoners regardless of the reason the imprisonment is being served?
- (3) Currently what is the cost per DNA testing per person?
- (4) How many persons are currently serving custodial sentences in Western Australia?
- (5) What is the estimated time this project would take to complete assuming that it goes ahead?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1) No.
- (2) Not applicable - see (1) above.
- (3) This question is best directed to the Minister for Health.
- (4) In the adult prison system - 2239.
- (5) Not applicable - see (1) above.

#### HEALTH - PATIENT ASSISTED TRAVEL SCHEME

##### *Budget Allocation and Expenditure*

2633. Dr GALLOP to the Minister for Health:

- (1) What was the specific budget allocation for the patient assistance travel scheme (PATS) granted to each country hospital for the years -
  - (a) 1995-96;
  - (b) 1996-97; and
  - (c) 1997-98?

- (2) What was the actual expenditure of the PATS grants for the same hospitals during the 1995-96 and 1996-97 financial years?

Mr PRINCE replied:

Hospital	1995-6		1996-7		1997-8
	Budget Allocation \$'000 (Q1a)	Expenditure \$ '000 (Q2)	Budget Allocation \$'000 (Q1b)	Expenditure \$'000 (Q1b)	Budget Allocation \$'000 (Q1c)
Albany	253.6	219.7	252.1	264.7	257.0
Augusta	18.5	19.0	20.0	18.7	17.8
Beverley	2.0	4.0	4.0	4.6	5.0
Boddington	5.0	5.2	3.3	3.0	3.0
Boyup Brook	7.3	6.7	10.6	15.6	15.6
Bridgetown	21.8	19.4	13.0	19.4	13.0
Broome	505.0	557.6	505.0	579.5	505.0
Bruce Rock	12.0	10.0	13.0	14.3	14.0
Busselton	90.0	83.3	77.0	72.5	68.8
Carnarvon	327.0	314.7	327.0	222.3	327.0
Collie	26.0	26.0	30.6	46.7	41.5
Corrigin	7.0	6.0	6.0	7.2	6.0
Cunderdin	6.0	6.0	4.0	7.6	7.0
Denmark	34.6	35.8	35.5	25.1	25.1
Derby	225.5	254.2	225.5	242.9	225.5
Donnybrook	16.1	16.1	15.2	14.0	13.0
Dumbleyung	1.0	0.6	1.5	1.7	1.5
Esperance	370.0	395.0	393.0	386.0	395.0
Exmouth	145.0	156.3	145.0	129.6	145.0
Fitzroy	100.0	103.9	100.0	142.0	100.0
Geraldton	392.0	397.0	392.0	465.6	392.0
Gnowangerup	33.5	36.6	18.9	21.7	18.9
Halls Creek	99.9	136.8	100.9	92.5	100.9
Harvey	6.6	10.0	6.6	12.7	13.0
Kalgoorlie	690.5	714.0	795.0	689.0	843.7
Katanning	39.7	39.7	35.4	35.4	35.4
Kellerberrin	22.0	22.0	13.5	13.5	7.0
Kojonup	3.4	6.7	5.3	8.2	11.0
Kondinin	3.0	7.6	9.5	9.1	9.0
Kununoppin	10.8	12.5	16.0	12.7	12.8
Kununurra	198.7	200.5	201.1	203.5	201.1
Lake Grace	5.0	6.5	4.5	4.7	4.5
Laverton	20.7	17.1	19.0	16.0	16.5
Leonora	42.5	36.2	44.0	29.0	30.5
Mandurah	34.0	34.0	2.4	2.9	0.4
Margaret River	18.9	16.7	19.0	17.8	16.9
Meekatharra	125.0	125.9	90.0	90.9	90.9
Merredin	52.4	48.6	40.0	31.2	35.0
Morawa	25.6	24.0	25.0	20.6	19.0
Mullewa	15.0	13.0	12.0	9.9	10.0
Murray (Pinjarra)	4.8	4.8	6.4	5.8	5.8
Nannup	5.1	4.3	1.6	2.1	1.6
Narembeen	4.0	2.4	4.0	2.1	2.1
Narrogin	22.5	21.6	26.4	48.0	27.2
Newman	410.0	279.0	410.0	331.0	410.0
Nickol Bay	474.0	474.0	540.0	610.0	550.0
Norseman	27.0	20.0	27.0	37.0	28.0
North Midlands	24.1	27.0	32.0	35.8	36.0
Northam	0	12.8	0	12.6	0
Northampton	25.4	29.0	36.0	41.0	40.0
Onslow	58.0	66.7	58.0	42.9	58.0
Paraburdoo	137.0	137.0	145.0	115.0	120.0
Pingelly	2.0	6.4	6.7	8.1	6.7
Plantagenet	24.0	19.3	24.0	29.1	29.1
Port Hedland	550.0	559.5	550.0	770.0	550.0
Quairading	2.0	2.0	6.0	4.2	4.0
Ravensthorpe	28.0	40.0	41.0	30.0	42.0
Roebourne	73.0	73.0	52.0	103.0	90.0
Southern Cross	15.0	13.7	15.0	11.7	11.0
Tom Price	187.0	187.0	199.0	265.0	220.0
Wagin	7.0	17.8	19.6	20.3	19.6
Warren	69.7	61.9	56.1	84.9	56.1
Western Health	51.5	52.0	50.0	56.8	50.0
Wickham	126.0	126.0	126.0	128.0	125.0



Wyalkatchem	6.0	8.6	14.0	14.3	13.0
Wyndham	114.8	134.4	115.9	145.2	115.9
Yarloop	1.2	1.2	0.9	0.9	3.0
York	0	2.7	0	2.3	0

## ROADS - SEYMOUR AVENUE

*Traffic Studies*

2638. Dr CONSTABLE to the Minister representing the Minister for Transport:

- (1) Have any traffic studies been carried out on -
- (a) Seymour Avenue, Floreat,
  - (b) The Boulevard near Seymour Avenue;
  - (c) Grantham Street near Seymour Avenue,
- in the last two years?
- (2) If yes to question (1) above -
- (a) who carried out the studies, and
  - (b) what were the results, particularly, traffic volumes?

Mr OMODEI replied:

- (1)-(2) These are local roads under the control of the Town of Cambridge and any studies would be undertaken by Council.

## MAIN ROADS WESTERN AUSTRALIA - PILOT DRIVERS' ACCREDITATION

2643. Mr CARPENTER to the Minister representing the Minister for Transport:

- (1) Will recognition of pilot drivers' accreditation come into effect from the Main Roads Department on 1 November 1997?
- (2) If not, why not?
- (3) If no, when can pilot drivers expect to gain recognition from the Main Roads Department?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1)-(3) The Scheme was introduced on November 1, 1997 but will not be mandatory until January 1, 1998.

## PLANNING - MANAKOORA RISE, SORRENTO DEVELOPMENT

*Government Compensation*

2644. Mr McGOWAN to the Minister for Local Government:

- (1) Will the Government financially compensate people adversely affected by the Manakoora Rise, Sorrento, development?
- (2) If not, why not?
- (3) Alternatively, will the Government order the City of Wanneroo to financially compensate those people adversely affected by the Manakoora Rise development?

Mr OMODEI replied:

- (1)-(2) No, as the State Government has no liability in this matter.
- (3) No, there is no power for the Government to issue such an order.

## MOTOR VEHICLES - ROADWORTHINESS TESTING

*Compulsory*

2645. Mr McGOWAN to the Minister representing the Minister for Transport:

- (1) What is the Government's policy in relation to compulsory vehicle roadworthiness testing?

- (2) Is the Government ordering either formally or informally vehicle licensing centres to test older model vehicles?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1) The Government's policy for compulsory roadworthiness testing extends to annual inspection for:
- all vehicles carrying passengers for commercial purposes,
  - school buses with seats for 8 or more passengers,
  - all vehicles with a seating capacity of more than 12 persons, or
  - other vehicles with specified design or use characteristics.
- (2) No.

#### NURSING HOMES - MT HENRY

##### *Construction*

2646. Dr GALLOP to the Minister for Health:

- (1) Can the Minister provide details of the progress of the proposed nursing home at Mount Henry?
- (2) When will work on the home commence?
- (3) When is it expected that the home will be completed?

Mr PRINCE replied:

- (1) Yes, the agreement for the establishment and operation of a new nursing home at Cloister Avenue Manning was signed by Anglican Homes Inc. and the Minister for Health on 4 August 1997. Ground works on the Nursing Home site have commenced, in preparation for construction.
- (2) Work on the home has already commenced.
- (3) The commissioning date deadline for the Nursing Home is 4 August 1998.

#### PERTH ZOO - LOCATION

##### *Future Plans*

2649. Mr McGOWAN to the Minister for the Environment:

- (1) What are the Government's plans for the future location of the Perth Zoo?
- (2) Is the Government considering moving the Perth Zoo?
- (3) What locations is it considering?
- (4) If so, when?

Mrs EDWARDES replied:

- (1)-(3) There are no plans to move the Perth Zoo. It will remain in its present location. The Perth Zoo is currently investigating establishing an open range zoo as an additional attraction. Discussions regarding the location of the open range zoo are ongoing. Two sites south of Perth are being investigated, a third potential site in the same area has recently been identified. No decisions have been made.
- (4) Not applicable.

#### HOSPITALS - FREMANTLE

##### *Cardiac Services Unit - Review*

2655. Dr CONSTABLE to the Minister for Health:

Further to the Minister's answer to question on notice 2316 of 1997, what were the "community expectations" and "staff commitment" referred to in his answer?

Mr PRINCE replied:

The Board of Management recognised:

- (i) the pre-Election commitment given by the then Leader of the Opposition Mr Richard Court;
- (ii) widespread publicity given to the commitment referred to at (i) above, in local newspapers and other media;
- (iii) the implications of a 15,000 signature petition presented to the Parliament by the Fremantle Heart Patients' Support Group;
- (iv) a unanimous vote in support of a cardiothoracic surgical unit having been given at a meeting of the Fremantle Hospital Clinical Staff Association;
- (v) a general awareness of and enthusiasm for the addition of cardiothoracic surgery among staff of Fremantle Hospital;
- (vi) the reality that to re-visit the commitment would be at odds with the confidence being generated by a programme of new and enhanced services to be developed at Fremantle Hospital in the period 1994-1997, in arriving at its decision in respect of the proposed review.

#### PRISONS - PRISONERS

##### *Unauthorised Visits*

2657. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Justice:

Further to the Minister's answer to question on notice 2297 of 1997 -

- (a) on how many occasions in the last five years have prisoners made unauthorised visits on the way to or from an authorised appointment; and
- (b) on each occasion, what action was taken?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (a) Three. Records held by the Ministry of Justice Internal Investigations Unit can only supply the requested information for the period August 1996 to present.
- (b)
  - (i) Charged and prosecuted for three (3) Disciplinary Offences in accordance with Section 98(1)(a) Prisons Act. Found guilty and fined \$60.00, \$20.00 and reprimanded respectively;
  - (ii) Charged and prosecuted for two (2) Disciplinary Offences in accordance with Section 98(1)(b) and 98(1)(c) Prisons Act. Found guilty and fined \$150.00 and cautioned respectively; and
  - (iii) Charges are presently being prepared for a prosecution for five (5) Disciplinary Offences in accordance with Section 98(1)(d) Prisons Act.

#### QUESTIONS WITHOUT NOTICE

##### MR NEIL BARTHOLOMAEUS - REPORT

**763. Dr GALLOP to the Premier:**

In November 1996 the Premier ordered an investigation into the conduct of WorkSafe Western Australia Commissioner Neil Bartholomaeus for allegedly attacking the Opposition for moving to disallow certain regulations.

- (1) What were the conclusions and recommendations of the subsequent report by the Public Sector Management Office?
- (2) Will the Premier table that report and if not, why not?

**Mr COURT replied:**

(1)-(2) I think the member for Armadale was going to ask this question a few weeks ago.

Ms MacTiernan: I did ask and you said you would provide the answer the next day.

Mr COURT: No. The member said I had notice of a question, but that question was about the maintenance of buses.

Ms MacTiernan: You said you would get us information on this the next day.

Mr Ripper: The Premier has notice of this one. Will he answer it?

Mr COURT: The report is exempt under freedom of information legislation, but I am prepared to table the report. It is a short report.

Mr Ripper: That is probably why it is exempt.

Mr COURT: There are some attachments. Do members opposite want me to table the report? It is exempt under FOI legislation. Basically, Mr Bartholomaeus was asked to apologise and I understand that in March this year he gave a written apology to the member for Armadale in relation to the matter. Is that correct?

Ms MacTiernan: He claimed that he had not made a statement to the journalist. I checked with the journalist, who checked his notes and said the claims had been made by Mr Bartholomaeus.

Mr COURT: Did he apologise?

Ms MacTiernan: On the basis that he had been misreported.

Mr COURT: He either apologised or he did not.

## MINISTRY OF JUSTICE - TRUTH IN SENTENCING

### *Introduction*

#### **764. Mr BAKER to the Parliamentary Secretary to the Minister for Justice:**

In recent weeks I have received several letters from constituents expressing their concerns about the sentencing system in this State, in that many persons convicted of serious offences, particularly those involving violent crimes against the person, appear to be required to serve only a third of the term of their sentence of imprisonment.

In view of these concerns, will the Parliamentary Secretary advise this House whether the Government proposes to introduce legislation effecting what is commonly known as "truth in sentencing" and if so, what is the gist of such proposed legislation?

#### **Mrs van de KLASHORST replied:**

I thank the member for some notice of this question. The Minister for Justice has provided the following reply:

Firstly, the member's constituents are incorrect. Parole is not automatic for sentences over three years for the offences mentioned. Secondly, for sentences over six years, the parole period is two years. The one-third remission remains. The question of truth in sentencing is with the Hammond committee.

## EDUCATION - PRIORITY SCHOOLS PROGRAM

### *Budget Cuts*

#### **765. Mr RIPPER to the Minister for Education:**

- (1) Is the Minister aware that the 185 most disadvantaged schools in this State have been advised that their priority school grants for 1998 are still undetermined but will probably be cut by 40 per cent?
- (2) What action is the Minister taking to compensate those schools for the budget cuts?
- (3) When will the schools be advised of their grants so that they can plan for 1998?

#### **Mr BARNETT replied:**

- (1)-(3) The member will be aware, as most members are, that the priority schools program is commonwealth funded, therefore the allocation of funds is direct from the Commonwealth to the schools. The Commonwealth indicated earlier this year that it would reduce a range of commonwealth programs from eight or nine to four. Those four programs now focus on literacy and different criteria apply. I have some concerns about how that is happening, and overall our estimate is that the total level of commonwealth funding in this State will fall by about 9 per cent. I have some concerns because the PSP was an effective way of helping disadvantaged schools. With the State providing 90 per cent of the cost of running government schools, the Government will look at the situation as it affects disadvantaged schools. It would be far better if the Commonwealth were to make such grants available, for whatever purpose they deem, to be administered through the state school system and then some of these anomalies would not arise.

## EDUCATION - SICK CHILDREN

*Access to Services***766. Mr JOHNSON to the Minister for Education:**

- (1) In light of the recent debate surrounding literacy, what services, if any, can be accessed by primary and secondary students who are too ill to attend formal classes at school?
- (2) Are these same services, or any others, available to students attending private schools?
- (3) If not, can private schools access these services on a user pays basis?

**Mr BARNETT replied:**

- (1)-(3) Obviously the continuity of education, particularly in literacy, is a serious issue for children who are ill. If a child in a government school is unable for medical reasons to attend school for three or more months, he or she has access to the School of Isolated and Distance Education, on condition that he does not have available to him a visiting teacher service to meet his educational needs. Children in non-government schools who similarly are absent for medical reasons for three or more months may access the School of Isolated and Distance Education on exactly the same criteria, fees and charges as children in government schools. That service is provided to sick children regardless of the school they attend.

## POLICE - METROPOLITAN REGION

*Shift Penalties - Over Budget***767. Mrs ROBERTS to the Minister for Police:**

- (1) Is the Police Service metropolitan region's expenditure on shift penalties in the region of \$300 000 above the set budget? If not, by how much is it over budget?
- (2) Has the Assistant Commissioner, Commander Metropolitan Region instructed that strategies be put in place to bring the budget back into line?
- (3) Do these strategies include reductions of up to 25 per cent on night shifts and skeleton staff operating on weekends?
- (4) Is this the social dividend of increased police presence that the Government promised at the last election?

**Mr DAY replied:**

- (1)-(4) I thank the member for no notice of the question! As a result, I am unable to advise whether shift penalties are over budget. I am happy to seek advice on the matter.

As to whether the Police Service is operating within its budget and strategies are being put in place to ensure it operates within budget, I hope it is operating within budget because the budget given to the Police Service by this Government is higher than it has ever been in the past. As I have indicated to this House on many occasions, the budget for the Police Service has increased in the past 12 months by approximately 10 per cent, from \$370m to \$400m in the current financial year, and over the term of this Government it has increased from \$240m to nearly \$400m. That is a very substantial increase and something that enables the Police Service to operate very effectively and to return a social dividend to the people of Western Australia.

## NATIVE TITLE - FEDERAL JOINT HOUSE COMMITTEE'S RECOMMENDATIONS

*Impact on Western Australia***768. Mr JOHNSON to the Premier:**

Will the Premier advise the House of the key findings of the minority report recommendations by the Federal Parliament's joint House committee on native title and what impact they would have on Western Australia if they were implemented?

**Mr COURT replied:**

A report has been made to the Parliament.

Dr Gallop: Seven-nil last time.

Mr COURT: The minority report, a copy of which I table, came from Labor members and the Democrats.

[See paper No 883.]

Mr COURT: Does the Leader of the Opposition support their recommendations?

Dr Gallop: I have not had a chance to look at them but I suspect I will support them.

Mr COURT: He cannot have it both ways.

Dr Gallop: I can have it both ways. I have not read them yet, but I have spoken to the people and I know the basic thrust of their argument which, unlike the Premier, I support. His recommendations to the Prime Minister would cause more waste of taxpayers' money and uncertainty.

Mr COURT: A number of recommendations were put forward in that minority report.

#### *Points of Order*

Mrs ROBERTS: I seek a ruling from the Chair on whether this question is in order, in that it seeks an opinion, and whether the Premier is the Minister responsible for answering such a question.

Mr COURT: I was not asked for an opinion; I was asked how the report would affect Western Australia.

The SPEAKER: Questions of the Government's view are able to be asked. I will allow this question because it is not asking for an opinion in the normal sense of questions that I rule out of order.

#### *Questions without Notice Resumed*

Mr COURT: If implemented, these recommendations would have a serious effect in Western Australia. They would not allow validation; yet the Leader of the Opposition talks about providing certainty.

Dr Gallop interjected.

Mr COURT: Validation of grants and approvals on leasehold land between 1 January 1994 and 23 December 1996 would not occur. That would place in doubt more than 3 000 mining titles and would affect investment of approximately \$2b. Probably one of the most worrying of the recommendations is that confirmation of extinguishment would not occur. The recommendations fail to suggest changes to future act procedures. An extension of the right to negotiate offshore activities is recommended, but the minority report rejects any shift to state control for the right to negotiate.

The Leader of the Opposition talks glibly about bringing certainty when the Labor Party came out with a list of recommendations that would make the current unworkable legislation even more unworkable.

Dr Gallop: The legislation you support does not stand up and you know it. Have you taken constitutional advice on the legislation? Was it the same person who advised you on the native title Bill you brought into this Parliament? Seven-nil.

The SPEAKER: Order! We allow interjections particularly from people who ask a question. However, when the same interjection is repeated and is not taken up, then I will call members to order.

Mr COURT: The Leader of the Opposition supports a line being taken by the federal Labor Party and glibly says that it will provide certainty when it will do the exact opposite. As far as I am concerned, it is crunch time for the Labor Party. Members opposite must decide just what they support in relation to this legislation.

### PROSTITUTION - CONTAINMENT POLICY

#### *Operation*

#### **769. Mrs ROBERTS to the Minister for Police:**

Given the Minister's claim that there are no written documents outlining the prostitution containment policy I ask -

- (1) Will the Minister explain in detail just what is the containment policy and how it is operated?
- (2) (a) Who has been responsible for determining which brothels are to be tolerated and which are not; and
  - (b) under which rules are tolerated brothels allowed to operate?

**Mr DAY replied:**

I thank the member for the question.

I have never claimed that no written documents exist in relation to the containment policy on prostitution in Western Australia. I said that no formal written policy as such exists which has been signed by the Commissioner of Police. However, some written guidelines exist which relate to containment of prostitution in Western Australia. I have discussed that matter with the Commissioner of Police. Both he and I believe there is no reason that information should not be made available to the public.

The present court case relates to broader issues than those regarding the containment guidelines. As a result of our discussion I am happy to table in Parliament a copy of the prostitution containment guidelines together with a list of the establishments which operate within the containment policy in Western Australia and those which operate within the Perth metropolitan area outside the containment policy.

#### PROSTITUTION - LEGISLATION

**770. Mrs ROBERTS to the Minister for Police:**

When will the Minister's prostitution legislation be introduced into this House?

**Mr DAY replied:**

As I have said on a number of occasions, that matter is under active discussion within government and we will make an announcement at the appropriate time.

#### POLICE - MANDURAH

##### *Central Business District and Foreshore - Operation Assurance*

**771. Mr NICHOLLS to the Minister for Police:**

With summer coming on and in the light of the importance of tourism to Mandurah, what measures are being taken to deal with antisocial conduct within the City of Mandurah central business district and foreshore reserves?

**Mr DAY replied:**

I thank the member for some notice of this question. I am aware concern was expressed within the Mandurah community earlier this year particularly about antisocial behaviour and fear of crime within the CBD of Mandurah and the foreshore areas. As a result of that concern, discussions were conducted with the local police, the Mandurah City Council, local members of Parliament and local business groups. Following those discussions, a memorandum of understanding was established between the Police Service and the Mandurah City Council.

That memorandum has led to the introduction of Operation Assurance. Operation Assurance involves the use of joint foot patrols between the police and council rangers. They are designed to provide a visible, but non-threatening, presence to address concerns within the area, particularly street drinking, disorderly conduct, graffiti, stealing, assaults, drug use and other problem activities, and to address matters directly concerning local government, including littering, parking offences and dog offences. Operation Assurance is being conducted as a three month trial and will continue until 23 December. After that it will be assessed and reviewed with a view to its continuing.

Mrs Roberts: Is that just a daytime assurance or also an evening assurance?

Mr DAY: It will address the problems whenever they occur, day and night. The Mandurah operation is a good example of cooperation in law enforcement and crime prevention between the Police Service at the state government level and local government, in this case Mandurah City Council. As I indicated at a recent conference of the Institute of Municipal Management, local government has an important role to play in crime prevention and community policing. It is very pleasing to see this occur in the Mandurah area.

#### POLICE - SENATOR LIGHTFOOT

##### *Speeding Charge - Third Court Hearing*

**772. Mrs ROBERTS to the Minister for Police:**

I refer the Minister to the manipulation of the court system by his Liberal Party colleague, Senator Ross Lightfoot, to evade a speeding conviction, and ask -

*Points of Order*

Mr COWAN: I have listened with interest to the preamble to some of the questions that have been asked by the Opposition. It is clearly out of order to impugn any member of Parliament, and I distinctly heard that in this case. Mr Speaker, I ask you to make a ruling.

The SPEAKER: Order! I have not heard the full question, but the point that is made is that often members in the preamble to their question make certain assumptions which may reflect upon members of this or other Houses. If the member wants to ask the question, I request her to rephrase the preamble.

Mr BARNETT: On a point of clarification, I hope the member for Midland is conscious of whether this matter is still before the courts and is, therefore, sub judice.

*Questions without Notice Resumed*

Mrs ROBERTS: I ask the following questions -

- (1) Can the Minister reassure the House that the speeding charge against Senator Lightfoot will not be withdrawn because the police cannot afford the time and expense of a third court hearing?
- (2) Can the Minister also reassure the House that the arresting officer will be flown to Perth from Karratha to give evidence when the matter is due to be reheard in March?

**Mr DAY replied:**

- (1)-(2) I understand that that matter is currently before the courts; therefore, I do not believe I should make any substantive comment on it. I will seek further information from the Police Service about its intentions in this matter. I believe that all citizens of Western Australia should fulfil their obligations under the law.

**HOSPITALS - ARMADALE-KELMSCOTT MEMORIAL***Redevelopment - Costs of Operation***773. Mr TUBBY to the Minister for Health:**

Is the Minister aware of the statement by the member for Armadale that the New South Wales Auditor General estimated that the Port Macquarie Hospital project was between 20 and 32 per cent more expensive to run than if it had been publicly owned and managed; and can the Minister advise how this will relate to the proposed Armadale Hospital redevelopment project?

**Mr PRINCE replied:**

I am aware of the statement about this matter made by the member for Armadale and some of her supporters. The attitude of the member for Armadale and others who have spoken on this matter so far can only be described as the ultimate in reactionary conservatism. It is extraordinary that the member for Armadale wants to turn back the clock to the 1950s in the delivery of good health care to the people of her electorate. This is another example of the member for Armadale using as a political football vital health services that her community needs and ignoring the needs of the people.

Port Macquarie was the first hospital privatisation project in Australia. All hospital privatisation projects since then have learnt a great deal from it, and many have been very different, including the three in this State so far.

None of the three major issues identified by the New South Wales Auditor General with regard to the Port Macquarie Hospital redevelopment has been repeated in this State. The three issues were: The grant of the land without cost to the operator; the non-reversion of the facility to government at the end of the 20 year contract; and the linking of the operator's payment to the single bed rate that applies in the New South Wales health insurance fund.

The three privatisations that have been done in this State to date - Bunbury, which is a special case, Mandurah and Joondalup - have leases, so there is no grant of land without cost. The request for expressions of interest in the Armadale project will be advertised tomorrow or the following day, and it will invite proposals from people who are interested in a sale of part of the land to a new owner-operator at market value; so the land will not be given away. With regard to the non-reversion facility, Joondalup will revert at the end of the lease.

Ms MacTiernan: Armadale will be sold?

Mr PRINCE: That is a possibility. It will depend upon what the market comes up with. The site is very large, and only part of it will ever be used for a health facility.



Mr Court: Will you knock the proposal the whole way through?

Ms MacTiernan: I will say to my electorate, "You should be grateful for the crumbs that are being thrown before you!"

Mr PRINCE: We will give the growing population of Armadale, whom the member claims to represent, a state of the art hospital, which will provide significantly more services than have been provided previously. That is the best thing that can ever happen in Armadale. The member for Armadale should be ashamed of herself. We are providing all this in a Labor electorate.

Several members interjected.

The SPEAKER: Order! Members, we cannot allow interjections from all over the place, including from members on my right, to continue.

Mr PRINCE: In Port Macquarie, the operator's payment was linked to the single bed rate of the health insurance fund. In our projects, the cost of service has been linked to the cost of delivery by other public hospitals - that is the benchmark - and not to what may be paid by a health insurance fund. That presents an obvious equality and an obvious ability to ensure that the payments that are made represent value for money. We have learnt from the three major problems with the Port Macquarie hospital project, as has everyone else. We have not replicated those problems, and we will not. Discussions have been held between officers of the Health Department and officers of the Auditor General's Department in this State and in New South Wales, and it has been acknowledged that the Western Australian projects have not repeated the mistakes made at Port Macquarie and have differed from them markedly.

We will deliver to the member's electors the best possible state of the art hospital to satisfy their needs for the next 20 years, just as we are doing in Joondalup, Mandurah and Bunbury. All members opposite ever did in Bunbury in 10 years was create a sand patch.

#### SCHOOLS - GOVERNMENT

##### *Fees - Punishment for Failure to Pay*

#### **774. Mr RIPPER to the Minister for Education:**

- (1) Is it state government policy to punish individual government school students by depriving them of educational opportunities and banning them from school social events if their parents cannot or will not pay annual school fees?
- (2) If school communities cannot afford to pay the Education Department's recommended maximum fee levels under the proposed education Bill, will the school budget be reduced or will the Government make up the shortfall?

#### **Mr BARNETT replied:**

I thank the member for some notice of this question.

- (1)-(2) The issue of school fees is addressed in the new education Bill, which I hope to re-introduce into this House within the next two weeks. The member is probably referring to a circular sent out by a school -

Mr Ripper: Yes - Eastern Hills Senior High School.

Mr BARNETT: Yes. The new education Bill makes it clear that parents are required to pay school charges. There is no fee for education tuition; attendance at government schools is free. However, charges are levied for admission to excursions and for items that are consumed during the education process. It is quite reasonable that parents be required to meet those charges.

Mr Ripper: Punish those students whose parents cannot pay!

Mr BARNETT: What an irresponsible statement! No student will be punished. However, the new education Bill makes it clear that parents will need to take responsibility for the education of their children, and so they should. In cases of genuine hardship, where parents cannot meet that requirement, these matters will be handled at an individual school level -

Mr Ripper: Will you make up the budget shortfall?

Mr BARNETT: No, because I will not indicate that parents should not pay school charges; that they should ignore their children and let someone else pick up the amount. If parents can pay school charges they will be required to

pay for the consumable items their children use at school. Cases of genuine hardship will be handled at the school level and the departmental level if necessary, as has always been the case.

## FISHERIES - LESCHENAULT ESTUARY

### *Management Plan*

#### **775. Mr BARRON-SULLIVAN to the Minister for Fisheries:**

I refer to the situation at the Leschenault Estuary relating to fisheries practices and the need to ensure a management plan to safeguard fish stocks into the future.

- (1) Will the Leschenault Estuary be included as part of a new regional planning initiative to develop appropriate fisheries management policies?
- (2) If so, what will this planning process entail?
- (3) When will this process be carried out?

#### **Mr HOUSE replied:**

- (1)-(3) The Leschenault Estuary has always been part of the broader planning of fisheries management in Western Australia. However, as part of a new regional and recreational plan announced recently, the Leschenault Estuary will be part of a specific planning study due to start at the beginning of 1999. This will be about the fourth regional area to be addressed. We will be looking specifically at recreational fishing in the area. It is also part of the Government's commitment to consider the interaction between professional and recreational fishing. The area is targeted as one about which we will have discussions with professional fishermen regarding reducing the effort in that region in order to ensure that more of the catch can be shared by recreational fishermen.

## SCHOOLS - PRINCIPALS

### *Equal Opportunity Act - Breaches*

#### **776. Mr RIPPER to the Minister for Education:**

I refer to the oral evidence of Mr Stephen Home, executive director of the human resources division of the Education Department, given to the Equal Opportunity Tribunal.

- (1) Did Mr Home tell the tribunal that school principals would be financially accountable for any adverse impacts if they breached the Equal Opportunity Act and that if an award of damages were made against the department for a breach of that Act, the principal's school's budget would be debited accordingly?
- (2) Is the Minister aware that awards of damages for breaches of the Equal Opportunity Act and equivalent commonwealth discrimination legislation have recently ranged between \$20 000 and \$92 000?
- (3) Is it the Minister's intention to debit these sorts of amounts or indeed any amounts from school budgets if awarded by a relevant tribunal and thus punish school students for their principals' mistakes?

#### **Mr BARNETT replied:**

- (1)-(3) I had hoped that the member would give some notice of such a question. I am not aware of the evidence Mr Home may have given before the inquiry. However, I make it clear that although the ruling of the Equal Opportunity Commission on matters affecting staffing, particularly in country areas, creates immediate administrative problems, the Education Department and I accept the ruling and we will set about establishing new procedures. Therefore, we require principals to follow that policy. I am making it very clear now, as I did at a conference yesterday, that principals are leaders in the education system; they have responsibility for staffing and their schools and they must behave in a corporate way: They must promote government school education. We expect higher standards of accountability and performance by school principals.

Mr Ripper interjected.

Mr BARNETT: I am not aware of the evidence or his comments. If the member wishes, I will provide further information in writing, or he can ask the question with prior notice and I will answer in more detail.