WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
FIRST SESSION
1998

LEGISLATIVE ASSEMBLY

Tuesday, 16 June 1998

Legislative Assembly

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

BETTING CONTROL AMENDMENT BILL

Assent

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

POTATO ACT

Petition

Mr Pendal presented the following petition bearing the signatures of 26 864 persons -

> To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We the undersigned people of Western Australia petition to have the potato Act repealed to enable all growers and associated industries to compete in a free market, for the benefit of the potato industry and that of the Western Australian community generally.
>
> Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 233.]

WESTERN POWER AND ALINTAGAS SELL OFF

Petition

Mrs Roberts presented the following petition bearing the signatures of 15 persons -

> To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned citizens are opposed to the sell off of Western Power and AlintaGas.
>
> We believe they are peoples' assets and should continue to be publicly owned and put service to the communities of Western Australia before investors profits.
>
> And your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 234.]

PARKING FACILITIES

Petition

Ms Warnock presented the following petition bearing the signatures of 42 persons -

> To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned, "believe adequate parking spaces/facilities be mandatory at ***all*** current and future residential premises, and that without exception all proposed residential building plans only be approved if adequate parking spaces/facilities are incorporated into proposed residential building designs".
>
> Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 235.]

CAR REGISTRATION FEES INCREASES

Petition

Mrs Roberts presented the following petition bearing the signatures of 15 persons -

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

We, the undersigned citizens are totally opposed to the State Government's decision to impose a new tax on WA motorists through massive increases in car registration fees.

Western Australian motorists already pay directly to the cost of roads through State and Federal fuel levies.

The revenue received by the State Government from the fuel levy and from the sale of the gas pipeline provides government with resources to develop our transport infrastructure. This new tax is unfair and has a disproportionate impact on middle and lower income earners.

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

[See petition No 236.]

[Questions without notice taken.]

MINISTER FOR LABOUR RELATIONS

Matter of Public Interest

THE SPEAKER (Mr Strickland): Today I received a letter from the Leader of the Opposition seeking to debate as a matter of public interest the following motion -

This House censures the Minister for Labour Relations for failing to attend the Industrial Relations Commission hearing, which sought his evidence to help settle the nurses' dispute.

As this was yet one further example of his failure to uphold the standards expected of a Minister of the Crown, this House calls on the Premier to dismiss him.

If sufficient members agree to this motion, I will allow it.

[At least five members rose in their places.]

The SPEAKER: The matter shall proceed on the usual basis, with half an hour allocated to members on my left, half an hour to members on my right, and five minutes to the Independent members, should they seek the call.

DR GALLOP (Victoria Park - Leader of the Opposition) [2.47 pm]: I move the motion.

Enough is enough! The Opposition has frequently raised in this Parliament the conduct of the Minister for Labour Relations in the way he carries out his duties as a Minister. To wake up on Sunday morning and see in the *Sunday Times* the headline "Kierath too busy for our nurses", "I was on other business . . . I have to have a life" - quoting the Minister for Labour Relations in connection with one of the most significant industrial disputes in this State for some time - was the straw that broke the camel's back. The Opposition calls upon the Government to do the proper thing and dismiss the Minister for Labour Relations.

We recognise the complexity of a Minister's job. Ministers operate in a complex set of relationships. They have relationships with their colleagues in Cabinet, most importantly with the Premier. Ministers have relationships with this Parliament in the way they report to the Parliament and carry out their duties in respect of Parliament. They have relationships with the public sector agencies for which they are responsible. Of course, those relationships are now partly governed by the Public Sector Management Act which is a law of this State. Ministers also have relationships with the wider public and the various interest groups relating to their portfolios. Ministers are expected to meet certain standards in the carrying out of their duties. Those standards are defined in the concepts of individual ministerial responsibility and collective Cabinet responsibility and, in more recent times, by the Public Sector Management Act as a law of this State. That Act outlines very clearly what the relationship should be between a Minister and the agencies for which he has responsibility.

Mr Speaker, the Opposition has put its position on the Table of this House very clearly. In every sense, the Minister for Labour Relations has failed in his duty as a Minister in this Government. We will show in this debate today that the incident that occurred on the weekend in respect of the nurses is just one example of his failure to perform the duties that he has been given.

The Minister for Labour Relations has failed in his duty to his colleagues. We have seen the way that he refuses to uphold and advocate Cabinet decisions. There was no better example of that than last week in this Parliament when

we called upon him to confirm that he would support the Government's legislation. He merely said, "Wait and see." He has failed in his relationships with this Parliament. He has been caught out frequently misleading this Parliament in matters that pertain to his own portfolios. If we go back through *Hansard* we will see that on many occasions the Opposition has raised matters in connection with his misleading this House.

We will see also in this debate today that the Minister for Labour Relations has failed to follow proper government and Cabinet processes. These processes have been set up in order to allow the executive arm of Government to work properly and to ensure that those people who have to deal with the Government can do so on a basis of certain knowledge in terms of what government policy is and how it will be implemented. This Minister has failed to follow those proper government and Cabinet processes, most notably in the smoking regulations that came to this Parliament.

The Minister for Labour Relations has released and used information improperly. We saw that in relation to the Construction Industry Long Service Leave Payments Board when he took information and used it for his own narrow political purposes against the requirements of the Act that set up that board. The Minister has been only too willing to use taxpayers' money for his own narrow political purposes, most notably with respect to the third wave industrial relations legislation. We saw the imbroglio that he found himself in over the issue of indemnity -

The SPEAKER: Order!

Dr GALLOP: - to the television companies in relation to that matter.

The SPEAKER: Would the Leader of the Opposition take a seat. The Leader of the Opposition's cause is not being helped by two of his colleagues who did not listen when I asked for order.

Dr GALLOP: I finish on this note: The Minister for Labour Relations has shown also a lack of respect for the legal system in Western Australia. We saw no better example than his approach to the order that he was given to appear before the Industrial Relations Commission to talk about the Government's wages policy. I quote -

> When Crown Solicitor Robert Cock QC said Mr Kierath was too busy to attend, commissioner senior deputy president John MacBean replied: "I'm very busy too."

When subpoenas are issued, it is inconvenient to all sorts of people in our community. However, a certain process must be followed and, in this case, that process was designed to try to settle what has been a debilitating industrial dispute in our State. The response of the Minister for Labour Relations was to snub his nose at the process, snub his nose at the Industrial Relations Commission and not contribute to a proper process that could have settled that dispute.

The Opposition is absolutely clear on this matter: Enough is enough. This Minister has transgressed in so many ways in each of the years that he has been in the portfolio. At some point the Government must take heed of what is going on and act in a decisive manner. The opportunity is before us today to finally, once and for all, indicate that the standard that this Minister has set in terms of his duties as a Minister of the Crown are insufficient and do not measure up. He needs to be dismissed.

MR KOBELKE (Nollamara) [2.58 pm]: I second the motion moved by the Leader of the Opposition. The case against the member for Riverton and Minister for Labour Relations has been made many times in this place. However, what unfolded on the weekend in the Minister's failing to appear before the Industrial Relations Commission - just in the arrogance displayed - puts the whole case beyond the pale. We can no longer accept the peccadillos, the indiscretions, the misleading of Parliament, the untruths, the misjudgments by this Minister. How much longer can this Government continue to accept the member for Riverton as a Minister? For how much longer are members going to support a failed Minister? He cannot go on because not only is he pulling down the standards of this Government but also his actions reflect poorly on every member in here because the public perception of the Minister for Labour Relations is so poor. One has only to look at how many members are willing to stay on the Government's side to support the Minister for Labour Relations: Twelve government members are in their places when there is a motion asking the Premier to dismiss the Minister for Labour Relations.

As the Leader of the Opposition indicated, for the last week and more we have been in the midst of a major crisis with our hospitals; something which has been preoccupying all the media of this State. People who are in need of hospital treatment have had that treatment deferred with possibly huge consequences for their health and even their lives. What do we find? We find the major obstacle to resolving that dispute is the Government's wages policy, for which the Minister for Labour Relations has primary responsibility. Everyone knows, because the dispute has been ongoing day after day, that the Government's wages policy and the way it handles these disputes is the key obstacle in resolving the dispute. When the Industrial Relations Commission issues an order for the Minister to come forward and give evidence, this Minister says he is too busy - such arrogance from a Minister who has just taken a pay increase of nearly $3 000. Nurses on salaries of $25 000 to $30 000, seeking a 13 per cent increase over the next

two years, are told this Minister is too busy. That reflects not only on this Minister and on this Government but on every member in this place.

Dr Gallop: It potentially undermined the resolution of the dispute.

Mr KOBELKE: It certainly shows why we as members of Parliament are in disrepute. This Minister is so arrogant; having pocketed his $3 000 he says he is too busy. As members of Parliament, we all perform various types of community service, and that is very important. However, a Minister of the Crown who believes that working as an honorary parking attendant is more important than contributing to the resolution of a major dispute in our hospitals has got it all absolutely wrong. For this Minister to say he is too busy because he is very important as an honorary parking inspector is absolute nonsense. He may, in fact, make a very good parking inspector or parking attendant. He certainly does not make a good Minister. Perhaps he should look to be a parking attendant as his vocation in life because he has totally failed as a Minister of the Crown.

Has the Premier not even considered the public perception of himself and his Government, having a Minister too busy to accept responsibility in his own portfolio area and not prepared to make sure he is available when a process server wishes to provide the right papers for that Minister to appear before the Industrial Relations Commission? The Premier has no concept of how the people perceive that.

Mr Court: Sit down and let me answer it.

Mr KOBELKE: That is the Premier's standard response. If I sit down, he will get up and refuse to answer it, as he does time after time. It is not possible in a few minutes to go through the myriad examples of this Minister contravening what has been the accepted practice and standard of Ministers over the years. His misleading of Parliament has been documented throughout *Hansard*. I mention two examples: In one instance, the Minister rose to his feet to answer a dorothy dix question and proceeded to discuss a court case involving a union official. Quite rightly, Mr Speaker, you reminded the Minister of the sub judice rule, and told him that he should not comment on a matter which may be before the courts. The Minister then said that the matter was not before the courts. He misled the House, because he spoke about part of a case which was resolved but the main part of the case was yet to come to trial. He misled the House by telling you an untruth, Mr Speaker, and that is a clear example of his misleading the House. We have also witnessed answers to questions on notice, when the Minister again made statements which he knew to be untrue. Again, that was misleading the House. The Minister has clearly demonstrated that he has no commitment to telling the truth.

In very subtle ways, he has misused information. It has become so bad that one could say that we know that the Minister will misuse information whenever he rises to speak. Every time he gets up to speak he twists and distorts information to give a particular slant on a matter - which often is very different from reality. On another occasion his misuse of information went beyond what is legal. The Leader of the Opposition has already referred to the Minister's use of names for political purposes, names which were taken from the Construction Industry Long Service Leave Payments Board. The Minister could have been prosecuted - but the prosecution had to be initiated by the board, and the board would not take action against its Minister. Therefore, he got off scot free. That was clearly an illegal use of information.

I turn now to the Minister's improper use of funds. I refer here to the third wave industrial campaign advertising. Not only was that a waste of taxpayers' money for party political purposes, but also it was shown up by a determination of the Australian Broadcasting Authority to be a breach of the law. The television stations in carrying those advertisements broke the law, which was a further abuse of taxpayers' money. This Minister has no respect for the law. He will use the law to get at people whom he wishes to victimise. We witnessed his lack of respect for the law with the indemnity which was offered to entice television stations to breach the provisions of the Broadcasting Services Act.

Last weekend the Minister did not take the steps one would expect a Minister to take when he knew that a process server was looking for him. Again, that indicated that the Minister has very little or no respect for the law. I do not suggest that the Minister broke the law. However, the Minister should uphold the highest standards. Knowing that a process server was after him he should have ensured that he was available, or he should have contacted the appropriate authorities so that the document could be served. The Minister preferred to run from the proper process of the law, again indicating his lack of respect for proper process and the upholding of the law. Time and again this Minister has failed to ensure that the proper process has been followed. We saw that again with the third wave advertising, when the indemnity did not go to Cabinet as it should have done. The Minister said that he knew nothing about it, yet no action was taken against the responsible officer. The Auditor General pointed out that those actions did not meet the standards laid down under Treasurer's Instructions.

The passive smoking regulations provide the clearest example of the Minister's attitude because the Minister did not

take the matter to Cabinet. This is an area of great significance to this State and to industry. It relates also to the health of the people of this State, but this Minister did not even take the matter to Cabinet. I do not think that was an oversight; it was part of the way this Minister sets out to deceive people. He has deceived his Cabinet colleagues. Furthermore, he did not follow the proper process, because the regulations should have gone before a committee of WorkSafe. They might have, after the event, but they did not go to the appropriate WorkSafe committee prior to their proclamation. The Premier sat on his hands! The Premier does not understand the meaning of the word "leadership"; he mouths words that are untrue.

On three occasions last Tuesday in this place the Minister for Labour Relations failed to support a Cabinet decision on passive smoking. The Minister does not support the Premier and his colleagues on that decision; yet the Premier said that all his Ministers support Cabinet decisions. Three times in this place the Minister was asked whether he supported the Cabinet decision, but he failed to give an answer in support. He used his prearranged words to avoid answering a serious question. Cabinet solidarity does not mean that a Minister should be quiet. Ministers are required to support Cabinet decisions. Three times in the past seven days this Minister refused to give his support to the Cabinet decision on passive smoking. Furthermore, last Tuesday on Radio 6PR the Minister undermined the Cabinet decision. He said that it was a decision that would not stand, because his position was a better one and that time would show that the Cabinet decision was wrong.

The Minister for Labour Relations is not willing to support a decision made by the Cabinet; yet the Premier is so weak that he uses words that amount to sheer deceit. The Minister does not support the Premier on that decision, and the Premier is too weak to take on the Minister. The Premier uses words that somehow suggest that the Minister supports the Cabinet decision; however, that is not the case, because the Minister is so arrogant that he thinks he can get away with it.

Mr Court: Why not debate the motion?

Mr KOBELKE: How many Ministers supported the Minister for Labour Relations when he thumbed his nose at a Cabinet decision?

Mr Court: He did not do that - and we all support each other.

Mr KOBELKE: What about last Tuesday? Was the Premier in a different room?

Mr Court: If the member wants to debate passive smoking, why does he not move a matter of public interest on that issue? No-one in that mob opposite wanders around in the wilderness as much as the member.

Mr KOBELKE: The Minister for Labour Relations is not willing to abide by the longstanding practice of Cabinet. When Cabinet makes a decision, a Minister supports that decision or he resigns. The Premier is such a weak leader that the Minister has not supported a decision of Cabinet and he has not resigned. The Premier is caught up in that situation. Passive smoking will be debated on another day, because the matter has not been resolved. It is an ongoing issue. This issue today is the behaviour of the Minister for Labour Relations. We call on the Premier to sack the Minister, or to further confirm the Premier's total lack of leadership over his Cabinet. This issue relates to the behaviour of the Minister and whether the Premier will exert any real leadership in this State.

The SPEAKER: I have read the motion carefully and I have reflected on it. It talks about a further example of failure to uphold the standards expected of a Minister of the Crown, and so on. I have allowed the member to widely canvass those matters. However, the motion does not refer to the Premier in that way. I caution the member that when he uses debate to reflect on the Premier, he is going beyond the substance of the motion.

Mr KOBELKE: I was making my final point. I will repeat it: The motion calls on the Premier to dismiss the Minister for Labour Relations because the Minister has failed to meet the standards expected of a Minister in the Government of Western Australia. The case has been proved; the people of Western Australia know that the Minister is a failure. We have not had time to set out the case in full, but we have addressed it in previous debates in part, and today we add one further issue to the litany of failings and offences by the Minister. It is up to the Premier to sack the Minister for Labour Relations or he will indicate in his support of the Minister that he supports incompetence, dishonesty and the breaking of traditions of this Parliament which have seen our Governments based on Cabinet solidarity.

MR COURT (Nedlands - Premier) [3.10 pm]: When members of a party have no substantive policy to debate, they attack. All I have heard in the past 20 minutes is personal attacks on either the Minister for Labour Relations or me.

Dr Gallop: It was a political attack.

Mr COURT: Members opposite have not discussed the issue.

Mr Ripper: What a lightweight response!

Mr COURT: What an unbelievably silly MPI. We are commencing a week of parliamentary sittings and we will deal with this in three seconds because it is wrong and tomorrow we will return to the Global Dance issue during private members' time.

Mr Ripper: That has really irritated you.

Mr COURT: No; members opposite can do it every day of the week. This motion is nothing short of a sideshow. Its biggest weakness is that the content is wrong.

Dr Gallop: Where?

Mr COURT: Members opposite have implied that the Minister was not available to appear before the commission on Saturday.

Ms MacTiernan: Did he appear?

Mr COURT: I had some knowledge of what was taking place. On Friday night, the Australian Nursing Federation staged what I could only call a stunt by summonsing the Minister for Labour Relations to outline the Government's wages policy to the commission. This matter is being negotiated with the Minister for Health, but the ANF summonsed the Minister for Labour Relations.

Mr Kierath: Why not summons the Minister for Health?

Mr COURT: That proposal was opposed by the Government's legal counsel on the grounds that it was not relevant and that a senior departmental officer could easily answer the questions. It would be a very unusual precedent for a Minister who has nothing to do with a dispute to be summonsed to the Industrial Relations Commission. The problem for members opposite is that the Minister never refused to attend.

Ms MacTiernan: We did not say that; we said that he failed to attend.

Mr COURT: It was made clear to the commission that if it wanted the Minister to attend that could be arranged. As the proceedings unfolded that day, the commission did not need him. Therefore, when he was available he was not required, but members opposite have moved this motion -

Mr Kobelke: Why did the Minister say he was too busy?

Mr COURT: He did not say that. The facts make a mockery of this motion. The Minister was able to attend, but there was no need for him to attend. As the proceedings unfolded, it was not necessary.

Dr Gallop: You are rewriting history, just as you are with the indemnity story.

Mr COURT: I was not in Perth on Saturday morning, but I was following this matter closely because what has been happening in the hospitals has been of great concern to me. I was with a senior government officer involved in this matter and I was kept advised on a hourly basis throughout Saturday about what was taking place. I was advised that the ANF had pulled a stunt by trying to get the Minister to appear. The long and short of it is that members opposite have moved a nonsensical motion.

Ms MacTiernan: You have not given us any detail.

Mr COURT: The commission said it did not need the Minister.

Ms MacTiernan: By the time he responded events had overtaken it.

Mr COURT: It would have been very unusual.

Several members interjected.

Mr COURT: If members understood what happens in commission hearings they would know that it would have been very unusual for a Minister who had nothing to do with the dispute to be summonsed. It was made clear by the Government's legal counsel that all the relevant information could be provided. The Minister was not required to attend, although he was available. The Opposition has brought a sideshow into Parliament today and wasted an MPI.

MR KIERATH (Riverton - Minister for Labour Relations) [3.16 pm]: I cannot believe that this is the most important issue that the Opposition has to raise this week. Members opposite have based their whole case on a totally inaccurate report in the *Sunday Times*. They have been caught out again; they cannot do any research themselves. They rely on the *Sunday Times* to give them their beat up stories. For the past week I have been sitting quietly not answering any questions and trying to go easy on the Opposition. However, members opposite could not sit there without hearing from me; they had to invite me to say something. They cannot help themselves.

I categorically deny that I said to anyone, anywhere that I was too busy; nor did Crown Counsel, who was representing me in the commission at that stage. It is normal for Ministers of the Crown to have counsel representing them. From where did that report come? It came from either the Opposition or the journalist concerned. In fact, when I spoke to the journalist I said that I was available to appear before the commission but that it no longer required me. This whole issue is based on the rubbish obtained by the Leader of the Opposition.

This motion refers to the fact that I "failed to attend". I did not fail to attend. As I understand it, a notice is served and one attends. The person trying to serve the notice turned up at my house at 7.00 am. My family invited him inside and told him that I was at the Canning Vale markets, that I had been there since 6.00 am and would be there until 10.00 am. The process server did not think it was important enough for him to go to the markets to seek me out. He lingered around my home. I rang him at 10.00 am and I told him that I had prior commitments. I also told him that I had officers and counsel in the commission who could provide any information required. They know more about it than I do. The rest of the information is in discussion before Cabinet and the commission is not entitled to have that detail. Even if I were to appear before the commission, I could not say anything about it.

Several members interjected.

The SPEAKER: There are far too many simultaneous interjections.

Mr KIERATH: This is a beat up by the *Sunday Times*. The unfortunate thing is that the ALP is so bereft of ideas, it fell for it. It was a stunt by the ANF. Most other unions have negotiated with the Government and none has requested that a Minister appear before the commission. I believe that this stunt was designed to hide the fact that the union has not been genuine in its negotiations.

One could understand the Minister for Health's being summonsed, but I have had no direct involvement in this issue. I have offered my assistance a couple of times, but neither the Minister nor the ANF have taken up my offer. There is no lack of desire to be involved on my part. A very competent, gun QC has used this political stunt to avoid the real issue and the ALP is so dumb that it fell for it. That shows that the standard of the Opposition in this House is appalling. While they show such standards and intelligence, the Government will look twice as good. I will read some of the transcript, which is available to anybody who wants it. I am sure the ANF will provide the Opposition with a copy. Mr Cock QC said -

> In respect of Mr Kierath I am instructed by him to oppose the application to issue the summons on the ground of relevance. I had a short opportunity to discuss this with my learned friend before the hearing.

That is the other QC. The transcript continues -

> My learned friend outlined some matters that he would seek to ask of Mr Kierath and I explained to my friend that none of the matters he asked would present any problem for us to produce by way of either documents or admissions. And it seemed that the matters that were really sought to be raised did not seem to us to be relevant to the matter in the proceedings.

That was the official position that was put by counsel. It is pretty understandable. It is bad that the ALP did not at least go to the trouble of obtaining a transcript of the hearing. Can members imagine the police charging someone on the basis of an article in the *Sunday Times*? They would be laughed out of court. Members opposite should be laughed out of this place, because they have been wasting valuable parliamentary debating time. The Crown Counsel opposed the application.

Ms MacTiernan: What did the court say?

Mr KIERATH: I will tell the member in a minute. The court was told that a senior departmental officer was available who could answer all the questions that were asked. They were being kind to me when they said "with the same degree or better detail". I will take that statement a bit further. Without doubt the officer would know more about it than I do and he could answer far more questions than I could. I do not beat about the bush.

Dr Gallop: That is not the issue.

Mr KIERATH: Of course it is the issue. They could obtain more information from that officer than they could from the Minister. If I had any other information it would be Cabinet deliberations, and everybody would know that matters before the Cabinet subcommittee are exempt from examination by the commission. Any evidence or knowledge that I could give that the officer did not have would not be available to the commission to examine. There was no delay; nothing was lost, and nothing was held up.

In evidence to the commission, no suggestion was made that I would not turn up. The commission was advised that I would be available later on that day. I said that I would attend later. I said at 10.00 am to the process server, when

I spoke to him on the telephone, that I was happy to arrange a meeting and accept the papers. I said that I was happy to make myself available at a time that was convenient to us both so he could serve the papers, because he had some difficulty doing so.

In the Australian Industrial Relations Commission, Crown Counsel undertook to arrange for my attendance if necessary. Senior Deputy President MacBean decided it would be best if he heard the evidence from the other witnesses already present, and call on me later, if necessary. That was not a statement that I or my counsel made, or the counsel for the ANF made; that was His Honour Deputy Senior President MacBean. That was his position. The point is that after examining the witnesses, the ANF did not proceed with its request to call the Minister.

Mr Wiese: That did not get much publicity.

Mr KIERATH: It did not get any publicity at all. Mr Cock raised the point in the commission that it is unusual to subpoena a Minister who is unconnected with the portfolio responsibility of Health. Not only Mr MacBean but also the ANF's legal counsel were happy that all the questions had been answered and I was no longer required. I was starting to feel a bit lonely again.

This whole thing has been a beat up. The headline said "Kierath too busy." I cannot find anyone who said that. Counsel did not say that, and I will read from the transcript. I did not say it; and no-one in the commission said it, so where does "too busy" come from? It comes from either the Opposition or the journalist, because no-one on this side of the House and no-one involved in the process said "too busy". I will put the record straight by reading the transcript, which states -

> HIS HONOUR: If that application is renewed and if the Commission were to grant that application, is Mr Kierath available sometime today or tonight?
>
> Mr COCK: I have not spoken with him directly in the matter. I have spoken to his Chief Policy Adviser who just simply informed me that he is very busy.

He did say that I was very busy. Mr Cock continues -

> But I do have contact facilities and - - -

His Honour said, "I am very busy too." Mr Cock said -

> Your Honour, I am trying to make it clear that we will do our best to ensure his attendance.

That was in the morning. Later on that morning the commission decided that it did not need me. This motion is a monumental beat up which states that this House censures the Minister for failing to attend the commission hearing. I was available to attend. The appropriate people were present in the morning when the hearing commenced. When I was available to attend, the commission did not want me, so that part of the motion is wrong. The second part says that the commission sought my evidence to help settle the nurses dispute. I did not have any evidence to help settle the dispute.

Ms MacTiernan: When did you contact the commission?

Mr KIERATH: Who does the member for Armadale call the commission? I had officers at the commission at the start of the hearing which was supposed to start at 9.30 am but according to the transcript started at 9.46 am. I spoke to the process server on the telephone at 10.00 am, and I was available later that day.

Ms MacTiernan: After two o'clock?

Mr KIERATH: I was available all afternoon. The only reference to my being too busy is the *Sunday Times* article headed "Kierath too busy".

Mr Brown: You just read out the transcript. It said "very busy".

Mr KIERATH: It did not say that I was too busy; it said that I was very busy and I would be available to attend this afternoon or tonight.

Several members interjected.

The SPEAKER: Order! I formally call the member for Greenough to order for interjecting out of his seat and while I am on my feet. There is too much interjection.

Point of Order

Mr KOBELKE: I request that the Minister table the two fairly large documents that he is quoting from, which appear

to be transcripts. As the Minister has quoted from them extensively, I ask that they be tabled when he has finished quoting from them.

The SPEAKER: That is up to the Minister if he is using copious notes and whatever. However, if the Minister is quoting from an official transcript, I ask him to table it.

Mr KIERATH: Some time ago, I quoted various passages, but no-one asked me to table them at the time.

Mr KOBELKE: I have been watching the Minister closely. He has a number of pieces of paper which are his speech notes and he has two other papers which are stapled in the corner because he has folded and unfolded them. From what I can see they are official documents, possibly transcripts. As I understand the standing orders, the Minister has no choice; if he has quoted from them he is required, if requested, to table them. I ask you, Mr Speaker, to request that both documents are tabled when he has finished quoting from them.

The SPEAKER: There is a question about what exactly is an official document. If it is a photocopy of a court transcript, that does not mean it is an official document.

Debate Resumed

Ms MacTiernan: Are you going to table them?

Mr KIERATH: I have photocopies of all sorts of pieces of paper here.

Several members interjected.

The SPEAKER: Order!

Mr KIERATH: All the Opposition can manage is a motion based on a very misleading article in the *Sunday Times*, on which I would not hang my hat. As I said at the beginning of this debate, one wonders what the Opposition will do for next week's MPI. As this one was based on a beat-up story in the *Sunday Times,* next week's could be straight out of the Wizard of Id. Maybe the MPI in the following week will be about something in the Readers Mart.

This has been an enthralling MPI! In my nine years in this place, never have I seen an Opposition stoop so low in moving an MPI so lacking in substance. I put my mind to this matter: If the Opposition based the thrust of its attack in this House on the *Sunday Times*, we could allocate some opposition portfolios on the basis of the *Sunday Times*. The Leader of the Opposition has made much of his foreign connection, especially his connections with England, so he could become the foreign correspondent in the London bureau, particularly in relation to 10 Downing Street. The member for Peel would be dropped from the motoring section after what appeared in Inside Cover today, and he would now do the gardening section; he is always digging himself into a hole. The member for Eyre might be in the lifestyle section.

Dr Gallop: You're a joke as a Minister! You do not accept your responsibilities.

Mr KIERATH: The point I make to the Leader of the Opposition is that the member for Armadale could be in charge of "horror scopes"; and the member for Nollamara could be in charge of entertainment, as he always makes a song and dance about nothing - maybe the curtain is about to fall on his career!

Several members interjected.

Mr MacLean interjected.

Dr Gallop: Look at you, boofhead; go and do something decent for a change. You have not got a brain to speak of!

The DEPUTY SPEAKER: Order! The Minister may not be answering to the satisfaction of the Leader of the Opposition but it is his time. He has the floor, which he can use as he wishes in drawing examples, as he was doing. Debate will proceed much better if members were a little calmer and more rational, and listened to debate. Certainly, members may make interjections, but not in such a boisterous manner.

Points of Order

Dr GALLOP: When the member for Nollamara was speaking, the Speaker pulled him up and indicated that the matters to which he referred had no relationship to the motion. I point that out to you, Mr Deputy Speaker.

Mr Court: You spent 20 minutes personally abusing the Minister!

Dr GALLOP: That is the motion.

Withdrawal of Remark

Mr MINSON: I clearly heard the Leader of the Opposition refer to the Minister as a boofhead.

Mr Kierath: It was to someone else.

Mr MINSON: I do not get on particularly well with the Minister on all occasions, but that reference was unparliamentary.

The DEPUTY SPEAKER: If the Leader of the Opposition used that expression, will he -

Dr GALLOP: I referred to the member for Wanneroo in those terms, and I withdraw.

Debate Resumed

Mr KIERATH: I was going to say that the member for Willagee could be in charge of the TV section, but I will not do so.

The DEPUTY SPEAKER: Order! I ask the Minister to return to the motion.

Ms MacTiernan: This is so funny!

Mr KIERATH: The point I am trying to make, which the member for Armadale will not allow me to do, is that the Opposition based its MPI on a misleading article in the *Sunday Times*. I was trying to highlight the stupidity and ridiculousness of any Opposition basing its attack in that manner and ignoring the facts. To highlight that, I thought I would add a little levity to highlight the stupidity of that line of attack. I think I made my point.

This was a pathetic attempt at an MPI. One would expect a matter of public importance to concern an important matter, rather than some beat-up in the Sunday rag; that is what this is all about. This tactic indicates the policy vacuum of the members opposite: They do not launch positive initiatives, or offer something constructive to help the State of Western Australia. Instead, they base their attacks on a beat-up article.

Most of the other news media knew the situation; after the weekend, they carried the story that some light could be seen at the end of the tunnel, and that some arbitration between the parties would occur. They realised that the ability to negotiate had gone by the board, and that some compulsory arbitration was required. That was the real story in the weekend's events. Many issues arose which ordinarily could mislead and take someone off the trail. The Opposition was gullible to fall for some red herring. The Minister was sought, but when they got the officers there, they did not want the Minister any more. That shows this to have been a political stunt by the legal counsel. Sadly, the Opposition was gullible enough to be conned by it.

If this is the calibre of the Opposition, and members opposite cannot get its MPIs right in opposition, how will they ever get decisions right in government? They are simply not capable of doing so.

MR CARPENTER (Willagee) [3.37 pm]: What we just heard from the Minister for Labour Relations encapsulates perfectly why he is unfit to hold his position. He has many qualities which might be applicable for the good in the work force or general society. However, he holds the process of representative government, the process of Parliament, and the notions of accountability and ministerial responsibility in complete and utter contempt. He thinks that they mean nothing, are a joke and should be brushed aside at every opportunity.

That may be well and fine if a person is not a member of Parliament and is, say, in the business community, but it is totally unacceptable for a person in a senior ministerial position. It is even more unacceptable when one finds that the Premier of the State - who advocated accountability in government, high standards of ministerial conduct, and increased accountability of members of Parliament to their constituents - supports the activity of the Minister for Labour Relations.

The Minister displayed total arrogance to the process which required him to attend the Industrial Relations Commission hearing. He has demonstrated today that the show of arrogance is not a one-off by any stretch of the imagination; indeed, it is consistent with his behaviour and attitude to any level of authority, accountability and respectability in government. It is not good enough. If anybody believed the Minister's claptrap as an excuse for his behaviour on Friday night and Saturday morning, he or she is very naive.

As for the Minister's attack on the journalist, I tell him and the Parliament one thing: I will accept the word of those journalists regarding what the Minister said before I accept the Minister's words on those matters.

Mr Court: Do you accept the words of the transcript?

Mr CARPENTER: I listened to the transcript quote, which backed up exactly the thrust of the story. A question was

put about why the Minister had not attended or could not attend, and the response was that he could not do so because he was a busy man. In other words, he was too busy to be there. That is exactly what the proponents of the story said. The Minister has tried, through obfuscation today, to make a mockery of that position. Everybody can see what happened in that situation. The Minister went out of his way to avoid having the summons served on him so he would not have to attend the Industrial Relations Commission hearing. Today we learnt that the process server waited at the Minister's house for several hours on Saturday morning. Is that what the Minister said?

Mr Kierath: No.

Mr CARPENTER: The process server arrived at seven o'clock fully expecting the Minister to be there so he could serve him with a summons. However, conveniently, the Minister was not there. He did not mention - I hope he will not contest the fact - that a message was left at his office on Friday afternoon indicating that he was required at the IRC. The Minister admitted to the newspaper reporter that he had received that message and he knew he would be required. A message was left with a babysitter at his house on Friday night that he would be required the next day. Did the babysitter get the message that the process server would be at the Minister's house in the morning?

Why was he not home? He knew the process server was coming. Why else would he be up at 5.30 in the morning and out of the house? He ran down to the markets and hid under a barrel of fruit. He knew he would be served with a summons because the process server left a message with the babysitter to tell the Minister to wait because he would be at his house in the morning. When the process server arrived, what did the Minister's family say to him? "He is not here; he is at the Canning Vale markets selling parking tickets." The process server thought that was a bit hard to believe and asked for the Minister's mobile phone number only to be told he had not taken it - if he wanted to serve the summons he must go all the way to the Canning Vale markets and look for the Minister among the fruit and vegetables.

Mr Kierath: I was on the gate, four minutes away.

Mr CARPENTER: What time did the process server say he would be at the Minister's house in the morning?

Mr Kierath: He didn't say.

Mr CARPENTER: Of course he left a message that he would be at the Minister's place in the morning. That is why the Minister made himself scarce. It is totally unacceptable. Everybody opposite and everybody in the State knows that the Minister was required as part of an important process involving a serious dispute.

Mr Court: He was not required.

Mr CARPENTER: He was required at that time. The Premier's words will be recorded. He is supporting a Minister of the Crown who avoided attending an Industrial Relations Commission hearing because he did not want to attend. What sort of precedent is the Minister setting? Does the Premier accept the way this Minister behaves?

Mr Court: My friend, my friend.

Mr CARPENTER: Every time the Premier is in a bit of trouble he says, "My friend, my friend." We know why the IRC did not want the Minister for Health at the hearing. It wanted the Minister for Industrial Relations because it needed to discuss the boundaries of the wages policy. This Minister is responsible for that portfolio. The Minister for Health's position was that he could not give the nurses more money because it would contravene the State's wages policy. Who did the IRC seek to summons? It sought the Minister responsible but he hid in the fruit and vegie market so that he did not have to turn up. He was writing out tickets. What an absolute disgrace. If the man from the IRC wanted to find the Minister, he might have had to hurry because the Minister was on the run; he did not want to go before the IRC.

The Minister's representative told the IRC he was not at home because he was a busy man; that is, he was too busy to attend the hearing. The Minister said in here that that was a lie. That is exactly the message he conveyed, and then he hid because he knew the process server was coming. He was out of the house by 5.30 in the morning. How many people have their parking tickets written out at 5.30 am? He must think we are all foolish like he is.

Was the Minister selling tickets for Rotary, an organisation promoting good citizenship? The Minister should ask members of that organisation what they thought of his performance on the weekend. What do they think of a Minister who says, "I'm representing Rotary while I'm hiding at the Canning Vale markets so that I do not have to attend an IRC hearing and make a submission."

Mr Kierath: How can you hide when you are on the gate?

Mr CARPENTER: Rotary should boot him out; he is a disgrace to the organisation just as he is an embarrassment to everybody in this House.

Mr Kierath: At least I was doing something for charity, which is more than you do.

Mr CARPENTER: We will argue about that another time. If a process server came to serve a summons on me to attend a hearing, I would turn up even if I were not a Minister of the Crown. I would do what I was supposed to do and present a submission; so would 99.94 per cent of the population. The last person who behaved like the Minister was Alan Bond, who did everything he could to avoid a summons. Look where he ended up. The Minister has lowered himself to that level.

He is a Minister of the Crown and has shown utter contempt for the parliamentary process and demonstrated his arrogance here again. If the Premier had any backbone - everybody in Western Australia knows he has no backbone - he would take him into his office and say, "Graham, you have gone one step too far; out you go, my friend." He would do what *The West Australian* and the *Sunday Times* have urged him to do and show the Minister the door because he is an embarrassment to the Premier, the Government and everybody else in Parliament and Western Australia. Like Mary Shelley in her novel, the Premier has created a monster. His name is not Frankenstein, but the doctor who created him is Richard Court. He thought he was a good Minister running around kicking the heads of unionists, but his monster is out of control and it is time to kick him out.

The Opposition: Hear, hear!

Question put and a division taken with the following result -

Ayes (16)

Ms Anwyl	Mr Grill	Ms McHale	Ms Warnock
Mr Brown	Mr Kobelke	Mr Riebeling	Mr Cunningham *(Teller)*
Mr Carpenter	Ms MacTiernan	Mr Ripper	
Dr Edwards	Mr McGowan	Mrs Roberts	
Dr Gallop	Mr Marlborough		

Noes (29)

Mr Ainsworth	Mrs Edwardes	Mr MacLean	Mr Pendal
Mr Baker	Dr Hames	Mr Marshall	Mr Prince
Mr Barnett	Mrs Hodson-Thomas	Mr Masters	Mr Shave
Mr Barron-Sullivan	Mrs Holmes	Mr McNee	Dr Turnbull
Mr Bradshaw	Mr House	Mr Minson	Mrs van de Klashorst
Dr Constable	Mr Johnson	Mr Omodei	Mr Wiese
Mr Court	Mr Kierath	Mrs Parker	Mr Osborne *(Teller)*
Mr Day			

Pairs

Mr McGinty	Mr Trenorden
Mr Graham	Mr Nicholls
Mr Thomas	Mr Tubby

Question thus negatived.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL

Second Reading

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [3.50 pm]: I move -

That the Bill be now read a second time.

In 1992 the Standing Committee of Attorneys General noted a consultancy to investigate greater nationwide cooperation in births, deaths and marriages registry services.

The consultants' final report entitled "Project Link" which was delivered in October 1993 recommended a long term strategy to progressively coordinate registry services for births, deaths and marriages across all States and Territories. Initiatives in Project Link to date include the introduction of security paper common to all registries, national fax back services, Interfax ordering services and common access policies and practices. To further support the notion of nationwide consistency, drafting instructions to provide a model bill across all jurisdictions were approved by SCAG on 18 February 1994 for referral to the parliamentary counsel's committee.

The parliamentary counsel's committee in turn asked the South Australian parliamentary counsel to carry out the task.

On 28 August 1995 Cabinet approved the drafting of a Bill - based on the South Australian model - to replace the Registration of Births, Deaths and Marriages Act 1961 which has been substantially unchanged since it was enacted. South Australia, New South Wales, Victoria and the Northern Territory have already enacted common core births, deaths and marriages legislation. The proposed Bill closely corresponds with the legislation enacted by the other jurisdictions, apart from specific variations which accommodate the particular requirements of Western Australia.

The principal purpose of the Births, Deaths and Marriages Registration Bill is to retain the traditional framework of compulsory civil registrations while facilitating the introduction of common services across Australia. It is designed to more adequately address the needs of contemporary society by acknowledging changes in social attitudes, and recognise the cultural diversity of our community and the existence of modern technology and administrative procedures.

I will now comment on the main features of the Bill. The Bill acknowledges the restrictive naming provisions in current legislation which are not sufficiently flexible to encompass the different naming patterns that exist in our multicultural community. The Bill will enable freedom of choice in the naming of a child at the time of registration of birth, including the recognition of traditional and religious naming procedures of all ethnic groups. The substantive change to current legislation dealing with the naming of children has taken into consideration a previous Cabinet decision of 25 March 1991 to amend the Registration of Births, Deaths and Marriages Act to accommodate the various naming procedures of recognised religious customs and ethnic groups. Additionally the freedom of choice in the naming of a child addresses earlier concern from the Women's Electoral Lobby about the present requirement that all children of the same parents - apart from recognised ethnic groups - must be registered in the same surname.

The Bill recognises the current method of computerised registration and generation of certificates and promotes the development of further proposals for electronic access and collection of registration information. It recognises that, in an age of technological advance and greater population mobility, there must be agreement in place to facilitate and simplify the exchange of information between States and Territories of Australia which promotes efficiency, best practice, uniformity and better services to the community. To achieve this desired outcome, the Bill enables the Minister to enter into arrangements with other Ministers administering a corresponding law for the provision of improved registry services to those Australians who were neither born nor married in their State or Territory of residence.

The Bill also provides a formal requirement for hospitals, or in other cases the doctor or midwife, responsible for the professional care of a mother at the birth, to notify the registrar of a birth. This process is vital to ensure the capture of every birth occurring in Western Australia by matching notification information against registered births. Similar requirements have been in place in other jurisdictions for some time and are vital to ensure the capture of every birth by matching notification information against registered births. At present the process is performed only on an annual basis by informal arrangement with the Health Department. The benefits of the current arrangement are compromised by the inability to receive notification information at regular intervals.

The Bill provides the registrar with greater scope to record parentage details in the register on the application of one parent provided sufficient evidence is received by the registrar regarding the authenticity of such information. Existing legislation is unnecessarily restrictive and out of date with modern technology, such as DNA or blood testing that positively identify parentage. This provision is further complemented by the fact that the Bill enables the registrar to give effect to the finding of a court in relation to the identity of a child's parent. Except in limited circumstances, current legislation does not permit the registrar to act on the finding of a court regarding paternity of a child unless both parents agree to include information in the register.

While it is clear the registrar is required to register all births in this State, this is not currently possible unless a birth registration statement is received from a parent of the child or a person in charge of the place in which the birth occurred. This Bill will provide the registrar with greater scope to receive and register information about a birth from a person other than a parent of a child. This provision, for example will enable the registrar to receive registrable information about a birth from a person in whose care a child has been placed and where the parents are unlikely or unable to provide the information for registration purposes.

As the Bill will provide the registrar with greater scope to register information about a birth, it is proposed to repeal the Registration of Identity of Persons Act which was enacted on 6 August 1976 in an attempt to give some means of identity to persons born in Western Australia and whose birth had not been, or could not be, registered in the normal way. Only one application for registration under this Act has been received, and few inquiries about the Act have been made, because of the requirement that proof be obtained from the registering authority in each State and Territory that the birth has not been registered elsewhere in Australia. The certificate issued does not have the same standing as a birth certificate but simply shows that certain particulars have been entered in the identity register.

This Bill also recognises both parents are equally responsible to register the birth of a child and requires them to sign the birth registration statement which is lodged with the registrar. While the involvement of both parents may be ideal, there are situations in which such an outcome is not possible. In order to accommodate these situations the Bill makes provision for the registrar to accept a birth registration statement signed by one parent where he is satisfied that it is not practicable to obtain the signature of both parents.

Although the Bill will continue to provide for the recording of parentage information, including marriage details where the parents of a child marry after the birth of the child, any reference to the concept of legitimacy, as is found in existing legislation, is removed. This is an important change reflecting the removal of the concept of illegitimacy and recognises changing attitudes of contemporary society.

The Bill will enable the registration of a death of a person who dies outside the Commonwealth but is domiciled or ordinarily resident in the State or leaves property in the State. This provision is intended to provide next of kin with easy access to a death certificate which may not be readily available from the place where the death occurred.

Although the Bill replaces current change of name legislation, the new provisions similarly reflect present Western Australian procedures for the registration of change of names of adults and children. A significant change to existing legislation is the recognition of a person's right to assume a name under common law which has been the case in other jurisdictions for many years.

The original intent of the legislation enacted in 1923 was to inhibit any change of name of men who deserted their wives and children, thereby increasing the burden on the State in supporting their families. The usage of current legislation has changed considerably since it was enacted, and policy constraints have progressively relaxed to the stage where a change of name licence is now available almost at call.

It appears the original intent of the legislation is no longer relevant given present state and commonwealth legislation which deals with child welfare matters and the many procedures in place to ensure fathers are responsible for supporting their children.

At present, the registrar has the authority to issue licences to change name and register deeds poll. The Bill seeks to rationalise current procedures by preventing the registrar from registering a change of name except as provided by the Bill.

The Bill retains the basic policy position of a closed register but enables the registrar, subject to conditions the registrar considers appropriate, to allow a person or organisation that has adequate reason for wanting access to the register or wanting information from the register, to grant access to or provide information extracted from the register. The registrar's discretion to determine access to the register takes into consideration the nature of the applicant's interest, the sensitivity of information, the proposed use of information and other relevant factors.

The Bill specifically provides for confidentiality and security of information in the register. In granting access or providing information, the registrar, as far as practicable, must protect the persons to whom the entries in the register relate from unwanted intrusion on their privacy.

As there are a number of consequential amendments arising from the Births, Deaths and Marriages Registration Bill 1997, a separate Bill has been drafted.

In conclusion, it is anticipated the Bill will simplify the operations of the Registry of Births, Deaths and Marriages by facilitating the greater use of technology, with all its attendant advantages for quick, efficient and accessible services. The Bill will promote inconsistency in registration practice and services across all jurisdictions resulting in improved service delivery to all Australians. I commend the Bill to the House.

Debate adjourned, on motion by Mr McGowan.

ACTS REPEAL AND AMENDMENT (BIRTHS, DEATHS AND MARRIAGES REGISTRATION) BILL

Second Reading

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [4.05 pm]: I move -

That the Bill be now read a second time.

I am pleased to present to this House the Acts Repeal and Amendment (Births, Deaths and Marriages Registration) Bill 1998.

The Acts Repeal and Amendment (Births, Deaths and Marriages Registration) Bill 1998 deals with consequential amendments to a number of other Statutes as an important part of the overall package of reforms proposed under the Births, Deaths and Marriages Registration Bill.

In relation to this Bill, there are three matters which I will draw to the attention of the House. Firstly, the repeal of the Change of Names Regulation Act 1923 will be replaced by part V of the Births, Deaths and Marriages Registration Bill 1998. Although the Bill replaces the current change of name legislation, the new provisions similarly reflect present Western Australian procedures and seek to rationalise current practices.

Secondly, the repeal of the Legitimation Act 1909 is due to complementary provisions in the Marriage Act 1961 and part VI of the Registration of Births, Deaths and Marriages Act 1961. Although the Births, Deaths and Marriages Registration Bill will continue to provide for the recording of parentage information including marriage details where the parents of a child marry after the birth of the child, any reference to the concept of legitimacy, as found in existing legislation, is removed.

Thirdly, the repeal of the Registration of Identity of Persons Act 1975 was enacted on 6 August 1976 in an attempt to give some means of identity to persons born in Western Australia and whose birth had not been, or could not be, registered in the normal way.

Only one application for registration under this Act has been received, and few inquiries about the Act have been made, because of a requirement that proof be obtained from the registering authority in each State and Territory that the birth has not been registered elsewhere in Australia. The certificate issued does not have the same standing as a birth certificate but simply shows that certain particulars have been entered in the identity register.

As the Births, Deaths and Marriages Registration Bill will provide the registrar with greater scope to receive and register information about a birth from a person other than a parent of a child, the Registration of Identity of Persons Act is obsolete.

The Births, Deaths and Marriages Registration Bill 1998 and the Acts Repeal and Amendment (Births, Deaths and Marriages Registration) Bill 1998 form an important package of reforms to achieve greater nationwide consistency in the registration of births, deaths and marriages. Therefore, I will seek leave for these two Bills to be debated cognately. I commend the Bill to the House.

Debate adjourned, on motion by Mr McGowan.

WESTERN AUSTRALIAN TREASURY CORPORATION AMENDMENT BILL

Second Reading

Resumed from 9 April.

DR GALLOP (Victoria Park - Leader of the Opposition) [4.08 pm]: The Western Australian Treasury Corporation Amendment Bill seeks to expand and clarify the functions and powers of the Treasury Corporation and apply the corporatisation principles to its operations. The Opposition will support this legislation, but will move amendments in a way that will improve the accountability mechanisms that are put into place. The Treasury Corporation was established on 1 July 1986 under the Western Australian Treasury Corporation Act of 1986 as the State's central borrowing authority and consists of the person, for the time being, holding or acting in the office of Under Treasurer. Under section 13(1) of the Act, the financial liabilities incurred or assumed by the corporation are guaranteed by the Treasurer on behalf of the State of Western Australia. This guarantee is secured upon the consolidated revenue fund of the State. The corporation undertakes both overseas and domestic borrowings on behalf of both state and local government authorities. While state government agencies are obliged to raise all their debt through the corporation, local municipalities have the option of borrowing funds from private sector intermediaries.

As at 30 June 1997, funds were advanced to 50 state government trading enterprises, authorities and agencies and 82 local government municipalities. Government trading enterprises make up some of the corporation's biggest clients. As at 30 June 1997, Western Power had 30 per cent of total debt outstanding, while Westrail and AlintaGas had 10 per cent and 16 per cent respectively. The total face value of net debt outstanding as at 30 June 1997 was $7.4b which was an increase from $7.2b as at 30 June 1996. The Treasury Corporation was established to conduct borrowings on behalf of the State of Western Australia and also on behalf of local governments. The aim of the exercise is to enable the Government to borrow in a coordinated way, in order to achieve a good interest rate on behalf of the people of Western Australia.

In 1992 a number of amendments were made to the Western Australian Treasury Corporation Act to ensure that the corporation had the flexibility to carry out its main objective of raising funds for state and government authorities. These amendments included allowing the corporation to take security for its loans; allowing the corporation to enter into transactions to hedge against currency movements; and changes to guaranteed provisions to allow for borrowing in the United States of America.

At that time the then opposition parties - now the coalition Government - raised a number of issues in relation to

different aspects of the legislation. These included the surveillance required to complement the greater freedom; the importance of performance targets in assessing the corporation's performance; and the role of Parliament in issuing guarantees for funds. I will refer to these issues in more detail later in my speech. I ask now for clarification from the now government parties on some of those issues, particularly given what they said in 1992 when amendments went through this House and through the Parliament generally.

I turn now to the amendment Bill that is before us today. This Bill seeks to expand and clarify the functions and powers of the Western Australian Treasury Corporation. It also seeks to apply the corporatisation model which has already been applied to government entities such as Western Power, AlintaGas and the Water Corporation. In many respects some of these proposed changes formalise the current arrangements that exist. However, some of them change the functions and powers of the corporation. I will talk about these specific amendments.

In many ways, the application of the corporatisation model to a body like the Western Australian Treasury Corporation is somewhat contradictory in that the Treasury Corporation is not in the marketplace competing with other bodies, as opposed to AlintaGas, Western Power and, less so, the Water Corporation. Contradictions emerge from that when we apply the corporatisation model. The corporatisation model requires the Government to set up a commercially orientated board to take responsibility for the affairs of a government body. It enters into an agreement with the Government on what will be its broad purposes, functions and strategies. It is then up to the board to carry out those functions in the marketplace.

Inasmuch as the relationship between the Government and that corporatised body are subject to some scrutiny, the Government is able to turn to its Treasury to obtain independent advice on matters such as whether that body is achieving good performance; what the dividend policy should be for that body; and whether it is meeting the requirements that the State sets down through the statement of corporate intent and the agreed strategy. There is a real intellectual consistency for the corporatisation model. In this case, the important difference is that the Treasury will be given a key role in the board of the Treasury Corporation. Following from that, certain anomalies emerge in the model that has been presented by the Government in this legislation. I will come back to those.

However, the one thing the corporatisation model does is add certain accountability mechanisms to the process that are currently absent. It is for that reason that we give our support for the legislation.

The Bill seeks to repeal the current provisions establishing the corporation as the person -

> For the time being holding or acting in the office of Under Treasurer.

Instead, this Bill will establish a board of directors with commensurate functions, responsibilities and accountabilities. Under the current arrangements, the corporation has an advisory board of management that is appointed by the Under Treasurer to advise him on policy matters. This Bill establishes a board of directors which will comprise the Under Treasurer as chairperson; an officer of the Treasury nominated by the Under Treasurer as deputy chairperson; the chief executive officer of the corporation; and up to three other persons appointed as non-executive directors by the Treasurer. The Bill, however, seeks no requirement that persons appointed to the board have any relevant experience in the commercial or financial field. I indicate to the Treasurer that we will be moving an amendment during Committee that requires persons appointed to the board by the Government to have the relevant commercial or financial experience.

Mr Court: I advise that the three amendments put forward by the Leader of the Opposition will be accepted.

Dr GALLOP: I appreciate that. Our reasoning is to make clear that the people whom the Government will appoint to the board must have the relevant commercial and financial experience. I use the word "commercial" as well as "financial" to give it a broad definition. Obviously, people with strong experience in either commercial law or government finances would be eligible for appointment under that definition.

It is also interesting to note - and the Opposition has not moved an amendment on this but we seek clarification from the Treasurer - that the legislation does not include any requirement that a representative from a client authority be on the board. The McCarrey report specifically mentioned this issue. I quote from page 111 of volume 1 of the McCarrey report -

> The Commission believes that the tensions between major clients and the corporation may well be a product of the lack of client representation on the corporation board which would enable clients to obtain a better understanding of market requirements and the corporation's liability management methods. . . .
>
> The Commission recommends that the Treasury Corporation board be expanded to include a representative of SECWA as the largest client and one or two representative of other clients, the latter appointments being rotated every two years.

The chief executive of Western Power is currently on the Treasury Corporation advisory board. The proposed legislation does not require that there be a representative from a client authority. I seek an explanation of why the Treasurer does not believe client authorities should be represented; or whether he holds the view that under the Bill, as it is presented and as it will be amended by the Opposition's proposal, it will be government policy to put someone on the board who represents one of the client bodies.

Another key change proposed under this Bill is the expansion of the current powers and functions currently contained in section 9 of the Western Australian Treasury Corporation Act. Apparently, some of these functions are currently being carried out by the corporation and these legislative amendments will simply put into legislation current work processes. Specifically, the Treasury Corporation would possess additional functions such as advising on financial matters, including debt management, asset management and project and structured financing. Secondly, in regard to managing investment for the Treasury and other government agencies, the corporation's officers have managed the investment of the public bank account under delegation since the termination of the arrangements with the Western Australian Development Corporation.

Section 9(1)(e) and (f) will allow the corporation's other client authorities to similarly use the corporation to invest their funds either directly or in trust. Thirdly, the legislation will enable the corporation to assist authorities with managing their financial exposures; and, fourthly, the corporation will assume any liabilities the State has incurred from borrowings or financial accommodation.

As a result of the amendments being proposed in this Bill, the corporation will fulfil the role of the State's in-house corporate Treasury, not unlike the role carried out by any large company for its subsidiaries. The Bill also expands the definition of authorities. Under the current Act the term "authorities" is restricted to those with borrowing power. This has been widened to include any agency within the meaning of the Public Sector Management Act.

I now refer specifically to the amendment which will allow the Treasury Corporation to advise on financial matters, including debt management, asset management and project and restructured financing. Currently, although this function may be carried out by the corporation, it is not written into the legislation.

We have a different situation here from that involving a financial adviser's going to a private sector body and offering advice and that body's being subject to legal action because the advice was found to be faulty. We have had some very important cases involving not only financial advisers but also auditors about the advice they give to private sector bodies. In this case the Government has corporatised bodies such as AlintaGas, Western Power and the Water Corporation. They now have boards that accept responsibility under an amended version of the Companies Code. Of course, from time to time they will seek advice. In this case they may be seeking advice from another government body - the WA Treasury Corporation. On occasion that has been a matter of contention and litigation.

I seek some clarification from the Treasurer on whether this wider brief increases the potential liability of the State Government for any wrong or negligent advice that could be provided by the Treasury Corporation to a corporatised body. There is no doubt that the people who have been given the responsibility to act for corporatised bodies are sensitive to their responsibilities and know only too well that under the Companies Code they can be personally liable for actions that are not in the commercial interests of the companies whose boards have taken their advice.

Clauses 14 and 15 propose to change the current approval process for borrowings. Clause 14 effectively removes the need for the Treasury Corporation to obtain the Governor's approval to borrow and the Treasurer's approval of the terms and conditions of each individual borrowing.

The first issue of concern in respect of this legislation is the ability of client authorities to be represented on the board, the second is the broadening of the functions of the Treasury Corporation and whether that would increase liability on the State, and the third is the approval process.

Under the amendments before Parliament, the Treasurer and the Government are effectively taken out of the equation in respect of borrowing and the terms and conditions of borrowing. The Bill will also allow the corporation to open and maintain accounts with financial institutions inside or outside Australia without the approval of the Treasurer, which is currently required under the Act. Instead, responsibility for approving borrowings is given to the corporation's board of directors. Clause 15 enables the Treasurer to impose limits on the corporation's borrowings. These proposed changes effectively replace the current two stage borrowing process with a more simplified process. This effectively removes the Government and, to a degree, the Treasurer from the approval process.

This obviously raises a number of financial accountability and responsibility questions. Specifically, one of the most important issues is that of ministerial responsibility and accountability. By removing the requirement that the Treasurer approve individual borrowing agreements, the key responsibility for entering into the borrowing agreement is removed from the Treasurer.

Another issue relates to checks and balances. Who is overseeing the individual borrowing decisions? When we debated this matter in 1992, the then and now leader of the National Party and now Deputy Premier commented on these matters. In respect of the approval process, and in particular guarantees on borrowings, he stated -

> The National Party has always held the view that when a commitment is given by the Government on behalf of taxpayers to borrow or lend funds and it issues a guarantee in case of default, that guarantee must be brought before the Parliament for approval at the time of issue of the guarantee, not at the time the guarantee is called upon.

Does the National Party still hold that view? If so, how does it reconcile that with the liberalisation of the approval process proposed in this legislation?

I would like an explanation of why the Treasurer should be taken out of the approval process. I imagine that it is because the Government is setting up a board and that the board will comprise officers from the Treasury with financial responsibility who will undertake that function on behalf of the Government. Therefore, there is no need for the Treasurer or the Government to tick off the process. I accept that that is the philosophy behind this legislation. If the Government is to be removed from the process at that point, we must have more monitoring and information mechanisms to guarantee a good performance by the Treasury Corporation. This legislation does that with the strategy agreement between the corporation and the Government, the statement of corporate intent and the reporting requirements outlined in the Bill.

However, the Opposition believes that one further step should be taken to ensure proper accountability; that is, reference to the Parliament. I will refer to that later. The Opposition agrees that the board should take on this function but, because the Treasurer is removed, the legislation must include further accountability and monitoring mechanisms.

I refer to the charging of fees for services. At present the corporation is restricted to charging only its borrowing clients. A clause of this Bill provides that the corporation is to be a self-funding agency and will not receive any funds from the consolidated fund. Of course, it will be able to charge fees for the services it offers and will impose a guarantee fee on corporations that enjoy the government guarantee. That money will go to the corporation and then to the Government.

I would like the Treasurer to clarify how policies will be determined in that area. How will the Government determine how to charge the fees? Will the Treasurer guarantee to the House that this will not become a mechanism by which the Government will tax the people of Western Australia? It could be a form of indirect taxation using government utilities that borrow and, using the fee process, transfer money to the consolidated fund.

I refer to monitoring of the corporation's activities. The Parliament's and the public's ability to monitor effectively the corporation's activities is covered by the proposed approval arrangements. The legislation proposes that the corporation produce a strategic development plan, a statement of corporate intent and quarterly reports. These are similar to but not identical with the provisions of the corporatised authorities. However, the only report required to be made public is the statement of corporate intent. Page 111, volume 1 of the McCarrey report highlighted the need for the corporation to provide regular monitoring reports to clients and the Government. I will discuss the need for regular monitoring later.

Although I indicated earlier that I thought there was a contradiction in the legislation in that it used a corporatisation model but did not go the full distance when it came to corporatisations by involving the Treasury heavily in setting up the board and supervising the activity of the Treasury Corporation, I acknowledge that the other aspect of corporatisation establishing certain accountability mechanisms is a useful addition to the Treasury Corporation Act. That is the strength of this legislation. The Opposition believes that a couple of amendments are necessary to strengthen it even further. The strategic development plan is to set operation targets and strategies, borrowing programs, financial requirements and performance targets over a three year period. It will be proposed and agreed with the Treasurer each financial year. If necessary, the Treasurer can direct in relation to the plan. This is the typical corporatisation model. However, the context in this case is quite different. Normally, government trading enterprises have a board which must agree its plan with the Government. For its part the Government can take advice from Treasury about the plan. When the Government of Western Australia had a bank, it had two sources of advice. One source was the board of the R&I Bank and the other was Treasury. It was very important for a Minister to have those two sources of advice because Treasury could take a broader view of the State's interest and what it required from the investment, and the bank would take a narrower view of what was necessary from the point of view of the bank. This is absolutely necessary if corporatisation is to work really well.

In this case Treasury, which is normally the independent source of advice in relation to corporatised authorities, is in charge of the Treasury Corporation by way of the chairperson, who will be the Under Treasurer. There will be

other representatives of Treasury on the board. They will play a strategic role in the workings of the Treasury Corporation, but that raises the issue of who will advise the Government on the relevance and content of the strategic development plan. There is a sense in which the corporatisation model is inconsistent with the Treasury Corporation, in that there is no other independent source to advise the Government in its consideration of any strategic plans or any statements of corporate intent that come from the board of the Treasury Corporation.

I now turn to discussion of the statement of corporate intent. Clause 16K of the Bill lists all matters which should be included in the statement of corporate intent. Unlike similar clauses in the statements of corporate intent required by the other corporatised entities, this clause does not require the Treasury Corporation to develop and outline performance targets in a statement of corporate intent. It seems inconsistent that a Government which requires small agencies to develop and publish performance targets in the budget papers does not require its Treasury Corporation, which manages more than $7b of debts, to specify performance targets in its publicly available planning document. It should be remembered that the statement of corporate intent is a public document.

The ability to reliably assess performance over time is a key aspect of measuring performance for government agencies. This is of particular importance for non-budget agencies, particularly corporatised agencies, where key information is not contained in the budget documents. The importance of performance indicators was highlighted by the Opposition in 1992, in debate on the amendments put forward by then leader, Barry MacKinnon, who said that we must make interstate comparisons with the cost of funds and exposure to risk in Western Australia. He said that the Western Australian Treasury Corporation must compare its operations with other such corporations around Australia, otherwise where is the accountability?

The Treasury Corporation produces performance indicators, such as loan raising expenses. I turn to pages 44 to 47 of the annual report, where the corporation sets out its key performance indicators. They refer to the loan raising expense ratio and the administrative cost ratio. I ask the Government why these are not included in the statement of corporate intent, and I will move an amendment in Committee to achieve that objective. The Treasurer has indicated that the Government will accept that amendment. That will make the activities of the Treasury Corporation more transparent.

I reiterate my earlier point that the Western Australian Treasury Corporation is not quite like other corporatised bodies, in that there is no marketplace within which it is competing in the same way as AlintaGas and Western Power are. Therefore, the added transparency is required for the Government to meet its accountability requirements.

I raise another issue relating to the timing of statements of corporate intent. I again refer to the corporate planning documents required under this amending legislation. Under the corporatisation model, financial and planning documents play a key role in the accountability and responsibility relationship created between the corporatised body and the Government. Along with the greater autonomy and responsibility given to corporatised entities, they in turn must provide timely and necessary information to the Parliament. Similar to the legislation corporatising the energy and water utilities, this legislation requires that the corporation produce a statement of corporate intent for the upcoming financial year. This is supposed to allow both Parliament and the public, firstly, to have knowledge and, secondly, where feasible to comment on the possible undertakings of the corporation in the relevant financial year. It is basically a planning document.

A key feature of the SCIs is that they should be made available before or, at worst, early in the financial year. Both this amending Bill and the legislation of the other corporatised entities contain a number of clauses that require the SCIs to be made available before the start of the financial year or, at worst, early in the relevant financial year. The Government has blatantly disregarded these provisions. I give the recent example of the statement of corporate intent of the Water Corporation. The 1997-98 statement was agreed to by the Ministers on 31 March 1997. It took nine months for that statement to reach the Parliament. Therefore, a document which is supposed to contain the plans for 1997-98 was not made available until seven months into the financial year. The energy utilities have not done much better. The Government often talks of these corporatised utilities as being similar to private companies. However, the member for Cockburn has made the point from time to time that private companies listed on the Stock Exchange face severe penalties if they do not produce reports on time. The main punishment is that of being delisted. I seek an assurance from the Treasurer that the Treasury Corporation will meet the legislative timetable laid down in this Bill. If the Parliament lays down a requirement, it is most important that it be met. The performance by the corporatised utilities so far in their relationship with Parliament has been less than adequate. I indicate that the Opposition will move an amendment that requires the performance targets and other measures by which performance may be judged and related to objectives to be included in the legislation, so that they are part of a report to the Parliament.

I now turn to quarterly reports. The corporation must give the Treasurer a report on the operations of the corporation for each of the first three quarters of a financial year. This compares with the current requirement, which states that the corporation is required to provide information to the Treasurer as requested. When the legislation was brought

to this Parliament initially, it was clear that a mechanism was needed between the Treasury Corporation and the Parliament and people of Western Australia. That mechanism was the Minister who, at any time, could obtain information and transmit it as required to the Parliament. The Burt Commission on Accountability requirements were laid down in the legislation. This legislation goes even further, and the corporation is required not only to report annually under section 66 of the Financial Administration and Audit Act, but also to make quarterly reports to the Government. The Bill extends the reporting requirements, but the same question asked earlier can be asked again. Who is independently to assess the performance of the corporation on behalf of the Government, given that Treasury is so inextricably caught up in the operations of the corporation? We certainly agree with the notion that Treasury should play a key role in the Treasury Corporation, but point out that many of the accountability requirements in this legislation assume there will be some independent body advising the Government on the relevance, or otherwise, of what is being said to it by the corporatised body. In this case the only body that would appear to be available - the Treasury - is the key player on that board. For that reason, we think the reporting should go through to the Parliament. If the Parliament is to act as a protector, if you like, of the interests of the many clients of the Treasury Corporation, it should be given these quarterly reports and it will then be in a position to judge the performance of the Treasury Corporation.

It is also important that we begin a debate within the government community on what will be the effective performance of the Treasury Corporation. Earlier I referred to the performance indicators that exist currently in the annual report. We must have a sophisticated discussion about whether the board which is set up is achieving the performance we expect of it on behalf of its many clients who, ultimately, are the taxpayers of Western Australia.

This Bill proposes a number of changes. The first is to extend the functions and powers of the Treasury Corporation. We agree with that and believe it is important to have an in-house Treasury function being played within the Government of Western Australia, advising bodies not just on matters of borrowing, but on broader financial asset management issues. Secondly, this legislation applies the corporatisation model to this corporation's activities. Although we believe it is not a perfect example of corporatisation, the fact is that the accountability requirements set down by corporatisation fit quite well and make the workings of the Treasury Corporation more acceptable from the point of view of the public interest. However, while the corporation and, in particular, the board will become more responsible for wider activities and functions, in our view the accountability arrangements laid down in this Bill must be strengthened. As indicated earlier, we will be pursuing particular issues and will seek to move a small number of amendments in Committee to reflect those accountability and other concerns.

MR COURT (Nedlands - Treasurer) [4.42 pm]: I thank the Leader of the Opposition for his support of this legislation. I will briefly run through some of the issues raised. It is the intention for the client authorities to be represented on the board. Mr Eiszele, the managing director of Western Power, will stay on the board under the new arrangements. It is not specified in the legislation, but that is our intention.

The Western Australian Treasury Corporation is an in-house treasury. It is not giving advice to the open market. The board of each statutory authority is responsible for accepting advice from the Treasury Corporation. The borrowing approvals process is the same as for the other state corporations. The limits are being controlled by the Budget and the Treasurer. We accept the amendment to place the Parliament as the independent body.

The fees are to be set on a cost recovery basis, with the total cost of funds being at a cheaper rate than these bodies can obtain from the market in their own right. Performance indicators will be made available. The amendment mentioned by the Leader of the Opposition giving those performance indicators to the Parliament will be agreed to. In relation to the quarterly reports, the amendments mentioned by the Leader of the Opposition will be accepted and those reports will be made to the Parliament. As I said by way of interjection, we will accept the amendments that the Leader of the Opposition will seek to move in Committee. I thank him for his support for the legislation.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Sweetman) in the Chair; Mr Court (Treasurer) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7: Sections 5A, 5B, 5C and 5D inserted and saving provision -

Dr GALLOP: I move -

> Page 4, line 27 - To insert after "other persons" the words "with relevant commercial or financial experience".

As drafted, the amendment originally sought to include the words "with the relevant commercial or financial experience". I have been advised that we should omit the word "the".

This Bill seeks to repeal the current provisions establishing the corporation as the person, for the time being, holding or acting in the office of Under Treasurer; instead it establishes a board of directors with commensurate functions, responsibilities and accountabilities. The Bill establishes a board of directors that will comprise the Under Treasurer as chairperson, an officer of the Treasury nominated by the Under Treasurer as deputy chairperson, the chief executive officer of the corporation and up to three other persons appointed as non-executive directors by the Treasurer.

However, the Bill has no requirements that persons appointed to the board should have any relevant experience in the commercial or financial fields. We are simply seeking to amend the legislation to make that a requirement. The reasons for seeking to move the amendment are fairly obvious. As the legislation is currently drafted, the Government of the day could appoint anyone to that board. It should be a requirement that that person has financial or commercial experience. Those terms are broad enough to take into account a range of people we would want to see being considered for such a position. At the same time there is a constraint on the Government, when it comes to appointing those people.

Mr COURT: The Government believes that is a reasonable amendment and supports it.

Dr GALLOP: I refer to proposed section 5D which talks about the remuneration of directors and committee members. It allows directors to be remunerated as determined by the Treasurer, on the recommendation of the Minister for Public Sector Management. I seek an indication from the Treasurer about the policies that are currently in place to determine the remuneration for directors of corporatised government utilities, whether any overall policy is in place, and how that policy will be put into place in respect of the Treasury Corporation.

Mr COURT: As I understand the public sector management area within my ministerial responsibilities, advice is sought from the Salaries and Allowances Tribunal as a guide as to what the directors should be paid.

Dr GALLOP: I ask the Treasurer to table in the Parliament at some later date before our Parliament rises in the next couple of weeks the remuneration of the various members of the government utilities.

Mr COURT: I will do that.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 8 to 17 put and passed.

Clause 18: Part IIIA inserted -

Dr GALLOP: Clause 18 seeks to require the corporation to prepare corporate planning documents including a strategic development plan and a statement of corporate intent. These requirements are similar but not identical to provisions in other corporatised statutory authorities. Section 16K sets out matters which should be included in the statement of corporate intent. Unlike similar clauses in the statements of corporate intent required by the other corporatised entities, this clause does not require that the corporation develop and outline performance targets in its statement of corporate intent. It seems inconsistent that a Government which requires smaller agencies to develop and publish performance targets in the budget papers does not require its Treasury Corporation, which manages over $7b of debt, to specify performance targets in its publicly available planning document.

The ability to reliably assess performance over time is a key aspect of measuring performance for Government agencies. It is of particular importance for non-budget agencies, particularly corporatised agencies, where key information is not contained in the budget documents. In the interests of assessing the performance of the Treasury Corporation, it is important that these performance targets and other measures by which it will be judged are included in the statement of corporate intent that will be tabled in the Parliament, so that we can have a sensible discussion of its performance and hold the Government to account for what happens. I move -

Page 21, after line 7 - To insert the following -

(g) the performance targets and other measures by which performance may be judged and related to objectives.

Mr COURT: The Government is prepared to accept that amendment.

Amendment put and passed.

Dr GALLOP: I move -

Page 24, lines 6 and 7- To delete the passage "or 16P(4)" and substitute " , 16P(4) or 21B(4)".

The reason for this amendment is that the Opposition will move that the Treasurer shall, within 14 days, put the quarterly reports before the Parliament. Circumstances may arise in which the Parliament may not be sitting, and another mechanism must be in place. Incidental changes are made to other parts of the legislation to make that possible.

Mr COURT: The Government supports that amendment.

Amendment put and passed.

Dr GALLOP: In my contribution to the reading debate I raised with the Premier the time frame for the reporting of the statement of corporate intent to the Parliament. Government utilities have a bad record in terms of meeting the requirements of the legislation. As I indicated, if that were the case with legislation governing the private sector, some of these boards would find themselves in difficulty. I ask the Premier what mechanisms are currently in place within government to ensure that not only this corporation but other corporations comply with these legislative time frames. Can he assure the House that the timetable which is set out in this legislation will be achieved?

Mr COURT: Some delays have been experienced but two checks and balances are in place; one is the Auditor General who can report on these matters, and the other is Treasury which follows very closely what is taking place with these corporations. I take on board the point that the Leader of the Opposition makes and I think it is important that these corporate planning documents are available in a timely manner.

Mr BARNETT: There is a problem with the process itself in that the statement of corporate intent or the SDP comes to the Minister who then consults with the Treasurer, it goes back to the Minister, and then goes back to the board. It is not necessarily a delay in dealing with the issue, but rather by going from one entity to another it tends to string out the process a bit. The process is somewhat cumbersome and needs to be streamlined, but it is a good process.

Clause, as amended, put and passed.

Clauses 19 to 22 put and passed.

Clause 23: Section 21B inserted and transitional provision -

Dr GALLOP: I move -

Page 27, after line 26 - To insert the following -

(4) The Treasurer shall within 14 days after receiving the quarterly report under subsection (3) cause a copy of it to be -

(a) laid before each House of Parliament; or

(b) dealt with in accordance with section 16Q.

Under the requirements of this legislation, the corporation is to give the Treasurer a report on its operations for each of the first three quarters of a financial year. This compares with the current requirement which states that the corporation is required to provide information to the Treasurer as requested. The corporation is required to report annually under section 66 of the Financial Administration and Audit Act. This Bill extends the reporting requirements, but the same question as applied before could be asked; that is, who is to independently assess the performance of the corporation on behalf of the Government, given that Treasury is so inextricably caught up in its operations?

I also refer to the McCarrey report, page 111 of volume 1, which highlights the need for the corporation to provide regular monitoring reports to clients and to the Government. There is no doubt that this legislation requires the Treasury Corporation to report to the Government with respect to its clients. It is very hard to know how that will be done directly, but it can be done through this Parliament. By adding this amendment to the legislation, the accountability requirements will be strengthened and will make it even more effective in terms of the public interest.

Mr COURT: The Opposition has made it clear that it does not want this to be a precedent for similar types of legislation. We support it in this case because a good reason exists for the Parliament to be treated as the independent body. For those reasons, we support this amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 24 put and passed.

Title put and passed.

Bill reported, with amendments.

ACTS AMENDMENT (EDUCATION LOAN SCHEME) BILL

Second Reading

Resumed from 21 May.

MR RIPPER (Belmont - Deputy Leader of the Opposition) [5.01 pm]: The Opposition is pleased to support this legislation. The legislation alters the way in which the low interest loan scheme, which provides assistance for capital works at non-government schools, is funded and administered. I was pleased that the Minister for Education paid a tribute to the previous Labor Government in the Estimates Committee when we had a brief discussion on the origins of this scheme. The Minister told the Estimates Committee that he gave credit to the previous Government and that the scheme had proved to be very effective. In the Estimates Committee we were told that since the inception of the scheme under the previous Labor Government in 1988, $239m had been advanced for capital works at non-government schools. Outstanding was an amount of $182m. Significant amounts of money have been repaid already to the Government from the non-government sector and some of the first loans advanced to the non-government sector will soon be repaid in their entirety. The Minister also advised the Estimates Committee that the scheme was the envy of non-government schools in other States.

Mr Barnett: A weak moment on my part!

Mr RIPPER: He advised us that that was his one compliment for the day.

Mr Barnett: Perhaps the year!

Mr RIPPER: Several days have gone past since he made that remark and we have not received any additional compliments. The scheme was initiated during the time of the previous Labor Government and it does have bipartisan support.

This Bill proposes to amend the Education Act 1928. It is ironic that we are dealing with the Bill in the same week as the Bill which will replace the Education Act. I imagine we need to deal with this Bill now because the Minister wants the new arrangements applying to the low interest loan scheme in place now rather than when the School Education Bill is proclaimed, he hopes, on 1 January next year. The changes proposed are: Loans to non-government schools have been funded out of the consolidated fund by parliamentary appropriation. Under the new arrangements it is now proposed that the Minister will be given the power to borrow, either from the Treasury or outside Treasury, and then to on-lend the proceeds of those borrowings to non-government schools. However, a consolidated fund appropriation will still be involved because it will be necessary to appropriate from the consolidated fund the moneys required to subsidise the low interest rate; in other words, the difference between the interest rate charged to schools and the interest rate on borrowings.

Mr Barnett: We will continue to borrow through Treasury, at least initially, for the first year or so. We will not go out immediately into the market but perhaps after a year or so.

Mr RIPPER: That is an interesting point which leads me on to the next point I want to make. When we had appropriation from the consolidated fund, there was a regular accounting mechanism. Parliament could determine how much was being appropriated from year to year. It is included in the budget papers, it is subject to the scrutiny of the Estimates Committee, and so on. Now that the low interest loan scheme is not to be administered through the consolidated fund, how will Parliament be advised of the amounts from year to year? That the Minister does not have to go through the appropriation process will mean that he or she will have more flexibility in deciding the amounts to be advanced from year to year. If the Minister is not subject to the normal competition for consolidated fund appropriations, there might be capacity to advance more to the non-government school sector than has been advanced in the past.

I would like the Minister, in his second reading response, to indicate how Parliament will be advised of the amounts outstanding at any one time in terms of borrowings that have already been advanced to the non-government school sector; and how Parliament will be advised of the amounts to be advanced in new loans each year.

Mr Barnett: I will respond in part now. There will still be a Treasury borrowing limit, so that will be open. A report on the amount of loans made will be contained in the Department of Education Services' annual report. Beyond that, any Minister would be quite willing to make public statements to that effect. They should be accountable.

Mr RIPPER: The amounts are likely to grow. A section of the budget papers this year entitled "Significant Issues and Trends" reads as follows -

> Growth of the non-government school sector is encouraged by a number of factors including State and Commonwealth budget increases in the levels of recurrent funding to schools; continuing availability of State and Commonwealth financial assistance for capital developments; and relaxation of Commonwealth planning criteria for the opening of new non-government schools.

Elsewhere in the budget papers it is pointed out that the non-government schools' market share is now 27 per cent of all school enrolments from kindergarten to year 12. In the Estimates Committee, we were advised that that market share was likely to grow to around 30 per cent in the next three years or so. There probably will be an increased demand for these low interest loan funds and growth in the amounts that are advanced from year to year. This legislation will give the Government the flexibility to respond to that demand without the Minister having to go through what can be sometimes a very competitive process when appropriations from the consolidated fund are being determined.

It is interesting to compare the Government's willingness to fund capital works in the non-government school sector out of borrowing, with its unwillingness to have the capital needs of government schools met by borrowing. All the capital works carried on in the public sector are now to be carried on with funds that have been raised from the taxpayer directly rather than through borrowings. The Government has made a virtue of that process: No borrowing is allowed to expand the government school sector. On the other hand, the Government is comfortable with the concept of debt funding the capital needs of the non-government school sector. In addition, not only is no borrowing allowed for the funding of the capital needs of the government school sector, but also the Minister is asking the government school sector to participate in asset sales to raise some of the moneys needed for capital works. That is an interesting comparison. I do not say that it is a bad thing for the non-government school sector that the funding is arranged in the way it is. However, it does point to some hypocrisy in the Government's arguments on the way capital works should be funded in the government sector.

Mr Barnett: The member for Belmont would have a point if capital works in government schools was contracting rather than expanding.

Mr RIPPER: That may be an interesting argument. However, many government schools feel that they are under some pressure to sell assets or to agree to closure or amalgamation to get the improvements to educational facilities in their communities that they think are required.

The market share of non-government schools, the projected increase in enrolments and the greater flexibility the Government will have to advance loans for capital works bring us to the need for an effective new non-government schools committee. I know the Government has established a new committee, but its effectiveness is yet to be determined. Considerable concern has been expressed in both government and non-government school sectors since the Commonwealth Government abolished its new non-government schools committee and more or less opened the possibility of the provision of commonwealth assistance to new non-government schools without their having to meet any planning criteria.

Mr Barnett: It applies as long as they are registered, which is a state government decision.

Mr RIPPER: That is true, but they are not required by the Commonwealth to meet any planning criteria in respect of the distribution of schools. This is a matter of concern to people in the government and non-government school sectors. Any school, government or non-government, can be adversely affected if a new non-government school is established with state and commonwealth assistance in the vicinity. A school might be made unviable educationally or financially, or both, as a result of the unplanned establishment of new schools.

The Opposition supports the possible liberalisation of the low interest loan scheme, but it needs to be combined with an effective planning process through the State's new non-government schools committee.

I recently attended the Collaborative Leadership Conference organised for Catholic school principals and administrators held on the Foundation Day long weekend at the Burswood conference centre. The conference was a great success and more than 500 principals and administrators from Catholic schools attended.

Mr Pendal interjected.

Mr RIPPER: They were very welcoming. We had some interesting discussions on education issues.

The assembled 500 school principals and administrators were very appreciative of the opening speech delivered by the federal Leader of the Opposition, Mr Kim Beazley. He told the assembled audience that 30 years ago two very important long term changes had been initiated in Australia and were taken up by both sides of politics. The moves to abolish the White Australia Policy and to end what had been a very serious division in the Australian community - the sectarian divide - were healing initiatives that softened conflict within this country and between this country and others in the region. However, he also pointed out that progress can be reversed. That was a very prescient remark

given the results we have just witnessed in the Queensland state election. The country's rejection of racism could be put at risk by that election result. Let us hope that the other great healing move of that time - the repair of the sectarian divide - is not also put at risk. We can be confident that this sort of legislation will minimise that possibility. It continues the provision of education assistance to children on the basis of need and does not reject children who might be in need in the non-government school system. It was particularly appropriate for Kim Beazley to deliver that opening speech to the conference because it was his father, as the Minister for Education in the Whitlam Government, who greatly boosted assistance to the non-government school sector and particularly those schools most in need. This scheme helps to maintain that achievement. We must continue to provide educational assistance to the non-government school sector and aim to target that assistance on the basis of need.

I am concerned that the other avenue of assistance to the non-government school sector - the per capita grants - may not be as well targeted as it could be. Commonwealth grants to the poorer schools are 500 per cent larger than those to the richer schools, whereas the state system has a differential of only 30 per cent. There is room for the state system to be more progressive in its application of funds so that its assistance provides support for those schools and children most in need.

I am also interested to hear the Minister's comments on how the low interest loan scheme will be administered and targeted. I see no evidence of the criteria for the allocation of these funds. There might be rules providing for poorer schools to get more assistance, but so far I have not seen anything to that effect. Do all non-government schools, no matter what their resources, have equal access to this level of funding or does the system allow for targeting of schools that do not have either internal resources or the fundraising capacity to obtain funds for their capital works?

What are the administrative arrangements for this scheme? In his brief comments to the Estimates Committee the Minister referred to administrative arrangements with the Catholic Education Office allowing for block grants to the Catholic school sector. That office would be good at allocating the funding on a needs basis within that block grant. However, how does the Minister make decisions about the amounts to be allocated to the Catholic school system as a whole and those allocated to Hale School, Wesley College, Scotch College and the other very well funded schools that might be described in some circles as elite?

The Opposition supports this legislation. It is a continuation of a good Labor initiative within a policy tradition which began more than 30 years ago and which has been very significant in healing what had been a bitter divide in Australian society - a divide that stunted the possibilities and opportunities available to this country and this State. It is a good, positive policy tradition. We hope it will mean more flexible assistance, particularly regarding the needs of non-government schools to obtain funds for capital works they would not otherwise acquire.

MR THOMAS (Cockburn) [5.21 pm]: I am pleased to follow my colleague the Deputy Leader of the Opposition in supporting this legislation. The aspect on which I will concentrate involves the University of Notre Dame in my capacity as opposition spokesperson for higher education.

I commend the Deputy Leader of the Opposition for his comments about the legislation's positive context. State aid to private schools has been one of Australia's most divisive issues. It was very much a current issue in the Labor Party when I first became interested in politics. People were divided on sectarian grounds, and it was one of the ugliest episodes of Australian politics of which I am aware, and in which I marginally participated. Like the Deputy Leader of the Opposition, I am pleased that we have put those years behind us.

It is recognised that we are a diverse society and that people who choose to have their children educated in non-government schools are nonetheless taxpayers and are entitled to state support for the provision of that education. Prior to that, if people were not of great means and wanted to have their children educated in a particular tradition - the main preference was for Catholic education, although not exclusively - they had to send their children to schools which were very poor or badly resourced when compared to state schools. I am sure that children suffered educational setbacks as a consequence of that situation. Nevertheless, these parents were taxpayers.

Those years are behind us, thank goodness. It is appropriate that this debate today follows the Queensland election last weekend. The prospect emerged, although on a different basis, of people seeking to divide Australia on a sectarian basis. I hope it will not happen and that politicians in electorates will be able to defeat such tendencies in our society.

The University of Notre Dame has had a somewhat uneasy relationship with the State concerning the basis on which it will ever receive, or conceivably receive, financial support from the State. When the institution was first proposed, some people opposed the notion of state aid for private tertiary education, and proposed that the legislation contain a strident provision that the institution not receive funding from the State Government. The people behind the University of Notre Dame had the opportunity to incorporate as a company or an association under the Associations Incorporation Act, and to operate the university on that basis. For reasons of their own, presumably relating to the

credibility of the organisation, the proponents wanted the university to be constituted under an Act of Parliament, as are other universities of this State. It approached the Government, and it was established by an Act of Parliament, notwithstanding that it is a private institution.

I say without inhibition that no reason exists for the University of Notre Dame, or any other private university, not to receive assistance from government at different levels. The State provides funding for tertiary education on an ad hoc basis, usually through provisions for capital works. I see no reason for the University of Notre Dame to be ineligible to apply for and receive assistance from the State on that basis, as would be the case with the publicly owned universities.

Towards the end of the term of the previous Labor Government, I supported the notion of an endowment to the University of Notre Dame for the reasons I have outlined. That matter became politically controversial. The Government sought to assuage some of the controversy and criticism by setting up an endowment to which all universities could have access. That was to overcome the criticism that the University of Notre Dame was being singled out for special status. Nevertheless, as this was a backtracking proposal to avert criticism, the measure did not succeed either.

You will not recall, Mr Acting Speaker (Mr Sweetman), as you were not in the House at the time, but a select committee was established into leaked evidence to an inquiry undertaken by the Public Accounts and Expenditure Review Committee into a matter relating to the University of Notre Dame. The whole issue became tied up in political controversy and as an election was not far away, nothing productive came out of the process.

In 1993 and 1994, I had the honour and pleasure of chairing the Select Committee on Science and Technology. A recommendation of that committee was that the University of Notre Dame, along with other universities, have access to state funding for projects considered worthy in the field of science and technology. It was put forward as a manifestation of the principles I enumerate here, although it related to the science and technology field.

The basic problem people have with funding for private universities, and private schools for that matter, is essentially the principle which underlies Australia's legal and constitutional framework; that is, there should be a separation of the Church and the State. Nobody argues that that should not be the case. However, when we fund private schools, we fund their education, not their religious function. That is how it should be. Parents of children attending those schools are taxpayers, and the educational function undertaken by private schools should be supported, at least to some extent if not to the same extent as public schools.

The same argument should apply to the University of Notre Dame and any other private university which may be established in years to come. The salient point is that educational functions should be able to be funded. I have had the advantage of a brief conversation with the Minister in the Chamber prior to this debate, and I understand that although the Bill will create the right for the University of Notre Dame to borrow funds under the scheme, and authorises the State to make the loans, it does not make it an automatic right. For example, if the University of Notre Dame wished to undertake a project, it would not be eligible automatically for finance under the project. It would still need to apply. That would have to be considered on its merits. Therefore, it would lose a little autonomy because the proposals made would be subject to the rules of the State's education bureaucracy in recommending to the Minister whether a project is worthy of funding. However, that is how it should be. There must be accountability. Were the university to receive some state financing, the State would have to be satisfied that the aspect of the operation is worthy of support.

Like the Deputy Leader of the Opposition, I would be pleased if the Minister, in his response to the speeches that have been made, provided more detail about the mechanism that he envisages will be used to assess the priority for funding when proposals are put forward to access funds that might be available under the scheme. I anticipate, as is almost invariably the case, that there will be more proposals and money sought than there are available dollars. Some sort of assessment must be made on what will receive funding if the scarce dollars are insufficient to satisfy those who seek access to them. I support this aspect of the Bill and I look forward to hearing from the Minister how it is envisaged that the assessing of priorities for the allocation of such funds as are available will be administered.

MR KOBELKE (Nollamara) [5.31 pm]: I will briefly premise my remarks supporting the Bill by stating my commitment to the dual system of education we have in this State. It is a great strength of our education system that many parents have the choice of sending their children to either government or non-government schools. It is most important that we maintain that ability to choose and ensure that as many parents as possible are in a position to genuinely decide whether their children will go to a government or non-government school. That equity or level of real choice is under threat from time to time for various reasons. There was a time in the past when the ability of parents to send their children to non-government schools was under threat because of the cost of education of non-government schools. The low interest loan was an important source of funding for low fee non-government schools. Those schools simply could not raise the capital to establish a school and have it up and running without

that having a huge feedback into the fees charged for children at the schools. As members are aware, a recurrent cost grant is provided by the Commonwealth and the State. For low fee schools, that meets most of the costs of running the school. The capital cost for such schools is another matter. The Labor Government introduced the low interest loan scheme, which this Bill seeks to amend, to enable schools to put in an extra building, or update and modify buildings. It also enabled new schools to be built in areas which did not have a low fee non-government school. These were predominantly church schools. That scheme has been extremely popular because a school can plan its finances knowing that it must take only a certain percentage out of each child's school fees to cover the cost of the interest plus the repayment of debt for the borrowings which are used to build or extend the school buildings. The low interest loan scheme has been very successful. The non-government schools that I visit continue to remind me of this scheme and indicate their full support.

The issue of equity is an important one; however, it is not appropriate that we debate it now. Government schools have been pressured to ensure that they meet the standards expected. The balance must be maintained. This Bill ensures that as many families as possible who wish to make the choice and the sacrifice can send their children to non-government schools, particularly low fee non-government schools. The importance of ensuring that our government schools receive the resources they require to maintain and improve standards and provide parents with the choice of whether they send their child to a government or non-government school will be debated another day. I, like many members, know people who have sent one or more of their children to a government school and one or more to a non-government school because they found that their children had specific needs. The availability of that choice meant that they could find a school which best suited the needs of their individual children.

Last week I was fortunate to attend the opening of a new building at Our Lady of Lourdes Primary School in Nollamara. I have a personal interest in that school because two of my sons attend it. A very warm and appropriate ceremony marked the opening of its new administration block. That block was built partly with federal funding. Schools such as Our Lady of Lourdes Primary School in Nollamara also use the low interest loan scheme. Such schools provide a high quality of education, which is due to a number of factors; one of which is that the teaching is centred around a set of particular values. In the case of Our Lady of Lourdes Primary School, the values are of the Roman Catholic religion. It is important that we have values in education. Some of the government schools in my area have a definite program ensuring that children learn values through the education that is presented to them. I firmly believe that one cannot have good quality education unless values are integrated into the school and the whole teaching process. It is not a matter of teaching values as a subject; the school must commit itself to a set of values, whether they be values of caring for one another, religious values, values of democracy or the various principles and attributes which one wishes to espouse to ensure that democracy works and flourishes in our society. Both government and non-government schools must determine how their values will be integrated into their teaching programs. Many non-government schools that are assisted by this program have a clear set of values which usually arise from a particular religious conviction.

The reasons for the changes to be made were not explained in the Minister's speech. I hope the Minister will explain in more detail why changes are required to the low interest loan scheme as it applies to our schools. The changes proposed in the Bill will not affect the functioning of the scheme in any way regarding the actual schools, their access to the money and the various responsibilities and requirements placed on schools which participate in the low interest loan scheme. The changes deal with the financing and control of the scheme by the Government. Very little in the Minister's second reading speech explains why these changes are being made. I hope that, in concluding the debate, the Minister will explain the changed funding arrangements and why these provisions are an improvement over the existing way in which the funds are raised and managed by both the Minister and Treasury. During Committee we will address the specific provisions of the Bill which clearly set out the roles of the Minister and Treasury in raising those funds.

In his second reading speech, the Minister indicated that provision existed for subsidised loans to be made available by government to non-government schools, not for profit training providers and the University of Notre Dame, etc. I understood the existing scheme did not allow loans to be made to non-profit trading providers unless by that the Minister meant various forms of schooling. I am interested to know whether in the existing arrangements there is some way a training provider such as Job Link or SkillShare could borrow money. Could they do that under the existing legislation?

Mr Barnett: Not through this scheme.

Mr KOBELKE: In the second paragraph of his second reading speech the Minister said provision existed for not for profit training providers to avail themselves of the scheme. I am not sure which group of not for profit training providers are able to avail themselves. Until now it has been my understanding they could not. I welcome the provision of a mechanism in legislation to enable funds to be extended for capital so that new institutions can be built or facilities enhanced.

At page 3037 of *Hansard* in his second reading speech, the Minister said that skill centres would be able to avail themselves of the money. The legislation extends the approved purposes for not for profit training providers to purchase or hire plant and equipment in addition to the normal capital expenditure.

The Job Link centres run very important training programs in Western Australia. No indication was given by the Minister that any definite program will extend money to them at this stage. However, I understand that the Bill will make that possible if government policy allows advancement of the programs run by Job Link or Jobmate, as they are called in different parts of the State. Those programs receive a small but important amount of recurrent funding from the Government through the Department of Training.

One of the issues we need to clarify - I assume it is covered adequately in the Bill, but I have not been able to clarify it - is the respective responsibilities of the Minister for Education under this scheme and the Minister for Training under part 3 of the Bill whereby the low interest loan scheme is extended to vocational educational training providers; that is, not for profit providers.

Job Clubs, which are not for profit providers funded by the Department of Training and which are managed by local management committees, play an important role in ensuring services are available where needed. They ensure they are tailored to the needs of young people who are making the transition from school to employment and training where ready access is not always available locally or where they need extra assistance to increase their chances.

This range of programs is even more important today because of the huge cutbacks the Commonwealth has made in its employment programs. A month ago a range of new FLEX programs were established to replace the old Commonwealth Employment Service offices. Unemployed people are now required initially to register at Centrelink before being referred to private training providers. Some of those providers are companies the clear objective of which is to make profit. This amendment does not relate to them in any way. However, a number of those training providers are not for profit organisations. Among them are the Salvation Army, the Sisters of Mercy of the Catholic Church and a grouping, previously under SkillShare, which has tried to market itself nationally. A range of not for profit organisations are trying to provide employment services under the Government's new FLEX contracts. Some of those organisations have great difficulty finding premises for a reasonable rent so that they can maximise their funds to assist people seeking employment. I have grave doubts about the FLEX program implemented by the Commonwealth. The philosophical basis for it is fundamentally flawed. Quality employment programs cannot be run on the basis that the marketplace will ensure that the best programs are offered by the people who make the most profit. That is a wrong-headed way of approaching this important area.

If my real concerns and rejection of the fundamental basis of that scheme are correct, huge cracks will appear in the system. Many people will not be able to get the services they want. If that is the case, the load on our Job Link programs and a few other small programs that are still running and not receiving federal funding will be immense. If the State Government sees an area that must be filled and can achieve that through the Department of Training, the availability of low interest loans as a result of part 3 of this Bill could be fundamental to establishing services to meet those needs.

I appreciate that the State Government has taken a policy position of not filling gaps created by the withdrawal of commonwealth funding. That position is understandable. It is clearly based on trying to manage the State's finances, which are not limitless. It avoids the State Government being caught in a situation in which the Commonwealth and the State in partnership have been running a program from which the Commonwealth has withdrawn and left the State to pick up the program. That is unfair. The State cannot continue to support programs because the Commonwealth Government has changed its policies and withdrawn or downgraded its services. The State Government does not have a good record with local government in that regard. Many local governments are loath to get into programs with either State or Federal Governments. Once programs have been established state funds have been withdrawn and councils have been left to find additional funding.

The point I was trying to make was that a huge problem exists with our employment services. A very small number of services are run by the State because only a small amount of money is allocated. However, their quality is good and their reach is significant. Bearing in mind that the State will not take over commonwealth responsibilities, they may still need to be reinvigorated. The ability to provide facilities and premises for these programs would be integral to their success.

This Bill provides a means by which that may be done. I hope the Minister will comment when he speaks because I understand no commitment has been made to provide low interest loans in the vocational educational training area. However, the mechanisms by which it can be done are being established by the Bill before us this evening. One can see the needs there. The response would be difficult for the Government. However, we will have the mechanisms in place so that if a scheme is proposed that meets the needs of unemployed people in this State, there is a possible form of support through providing low interest loans for the establishment of such facilities.

My last comments flow out of that. I have been involved with a SkillShare program in Mirrabooka for approximately 10 years. It is with great regret that it has had to close its doors because of changes in commonwealth funding. The building in Mirrabooka was built with Lotteries Commission funding. The building is quite significant and provided a means by which we could run an extensive range of programs, at one stage up to an annual budget of $500 000 without having to outlay a great deal of our funds to meet the cost of the premises. The program was a great success. It gave me the opportunity to meet very many wonderful people, who were committed to providing a service to the unemployed. Those people have given very many years of their lives in a very professional and dedicated way to provide a top quality service. The changes in the priorities of the Commonwealth's funding has meant that it must be closed. That has been a great loss for our community, because of not only the great range of programs on offer but also the wealth of knowledge and expertise which existed with key staff at the Northside School SkillShare in Mirrabooka. That relates to this Bill because we will have to start those programs again. The Northside School SkillShare at Mirrabooka was one of the few which had a building in its own name and therefore was able to maximise the output of the programs it ran and not have a large amount of its money going to the cost of hiring premises.

I hope this Bill will provide another source of revenue for many of the centres. Some are still battling to survive but they find the cost of overheads and leasing of premises considerable drains on their resources. This limits their ability to do the work that needs to be done. I welcome these amendments. I hope the Minister will respond to the question on the change in the financing structure. I accept that it is probably for the better. However, I do not think the Minister has explained it. Is the Minister able to comment on the vocational and educational training component of the low interest loan scheme and how it will be used? I commend the Bill and I am willing to support it.

MR BARNETT (Cottesloe - Minister for Education) [5.54 pm]: I thank members opposite for their support of this Bill and, indeed, of the low interest loan scheme. It is a successful scheme which has been very well received in the non-government school sector.

In response to a couple of the comments, the principal purpose of this legislation is to allow, through the Department of Education Services, the Minister for Education to authorise the borrowing of money in the private capital market, with the Treasury then meeting, through the consolidated fund, the interest rate subsidy on those loans. That allows more flexibility in the way the loans portfolio is structured.

It also means from an accounting point of view that instead of showing in the budget papers the total amount of borrowings as a capital item, the real expenditure and exposure of government in terms of the interest subsidy is shown as recurrent expenditure. We should bear in mind that this is government borrowing which is backed up by financial commitments from the non-government schools. Therefore, effectively the Government is playing an intermediary role.

Similarly, the accountability issue arose. Borrowing limits are negotiated with Treasury, so there is no unlimited right of a Minister for Education to go out and borrow. The interest subsidy is shown in the budget papers and that is controlled. The extent of the scheme will be reported in the budget papers or in the annual report of the Department of Education Services. If members wish, I am prepared to report to Parliament on the scheme from time to time. That is proper and I have no hesitation about doing that.

Mr Kobelke: I am not clear why the changes should occur. You did not really criticise the old system. Is it basically following through a new accounting approach?

Mr BARNETT: It is for greater flexibility. We can deal with the capital market for relatively small amounts of funding as they might be needed. At the moment Treasury tends to go out with note issues and raises literally hundreds of millions of dollars in large lumps at a time. This system allows greater flexibility to meet the needs of relatively small amounts of borrowing. Instead of treating it as a capital item, it becomes the true expenditure of government, which is the interest subsidy. Therefore, it is simply a more flexible arrangement. The total amount of borrowing should not be shown as a state debt. It is in reality a private school debt which is backed by government through reciprocal arrangements.

Mr Kobelke: From your point of view the transparency has the added advantage of moving capital debt out of the Education budget.

Mr BARNETT: Yes, it does, because it is not really a government debt; essentially it is a private school debt which we stand behind. The exposure of Government is the interest subsidy or if there is a default on a bad debt.

Mr Kobelke: Are you able to tell us the extent of the capital debt at present?

Mr BARNETT: I cannot tell the member the total amount of outstanding loans off the top of my head.

Mr Ripper: You told us in the Estimates Committee that $182m was outstanding.

Mr BARNETT: Yes. There is a difference with government schools. There would be an argument if capital works in government schools were declining. Currently government schools capital works are running at about $100m a year, plus a maintenance and minor works program of about $50m a year. There is also a more fundamental difference. This borrowing scheme is for non-government schools, which incur a liability to pay interest plus the loan, whereas the borrowing for government schools is just government borrowing; there is no ability to repay the loan because of the way in which it is government funded. So that is not really a valid point.

Mr Ripper: The point I was making is that maybe debt financing is not such an awful thing as Richard Court would have us believe.

Mr BARNETT: If we were to have a major capital works program, we could debt finance it, but we might as well raise the money directly through Treasury and allocate an increased capital works. There is no need to go through this process.

I agree with the member for Belmont that this program should work in concert with the non-government schools committee. It is early days, but that is working well and there is good cooperation. All of the sectors in education do not want to see too many schools created too close together. That will simply create a problem 10 or 15 years down the track. Although the Commonwealth Government has abandoned its new schools committee process, even to receive commonwealth government funding is dependent on state registration of those schools. I made it clear that we would not be operating a laissez faire policy on registration, so that we would not encourage a proliferation of non-government schools or small or non-viable schools simply on some philosophical basis. That is well received in not only the government school system but also other systems, such as the Catholic school system which is most concerned about proliferation.

Mr Kobelke: I am happy that the State has taken a fairly strong position on the new schools policy. Does the federal Minister accept that policy?

Mr BARNETT: Federally it is accepted that it should be managed at the state level. I have had no contrary comment to that effect. It is recognised that there should be logical planning in areas of expansion.

The criteria on qualifications depend on a number of things, such as the population of the school, the growth of the school, and the existing facilities. The scheme is only made available to provide facilities up to the standard of government schooling. We do not provide low interest loans to provide something above and beyond that which might be provided in government schools.

There is an element of equity in that although a strict needs criterion is not taken into account, the so-called wealthier schools which have the higher fee paying students pay a high rate of interest. The degree of interest rate subsidy is related, as it were, to the wealth of the school. Typically in that sense many of the Catholic schools derive the lion's share of the interest rate subsidy because they are lower socioeconomic or greater needs schools. Members opposite may want a more exacting equity criterion. I would tend to shy away from that.

Mr Kobelke: Does it run off a formula such as recurrent funding?

Mr BARNETT: No. Any school can apply.

Mr Kobelke: Does the level of interest rate relate to the level of recurrent funding or another formula?

Mr BARNETT: It relates effectively to the fee level of the school. The higher the fee level that the school charges parents, the higher the interest rate component it will pay on a low interest loan scheme.

Mr Ripper: Does this relate to the category of per capita grants scheme?

Mr BARNETT: It is the fee structure, as I understand it. The low fee schools and the lower socioeconomic private schools will receive a greater interest rate subsidy.

Mr Kobelke: Are there specific criteria for the interest rate for the lower socioeconomic schools?

Mr BARNETT: Yes. The criteria are applied very well and very fairly. I have had no complaints, apart from the one from St Andrews which relates to different issues. That would be the only example of controversy over the scheme. At one stage, in the Catholic system, commitments by schools tended to run ahead of the level of government funding. However, we have been able to accommodate that. There have been a few catch up periods when the timing of capital works and commitments has created some timing factors. The scheme is working well. There have been no issues of default, and the like. Where schools have faced some problems we have been able to accommodate the situation in a sensible way.

The member for Cockburn supported the University of Notre Dame. I thank him for his comments. He has had a

long involvement with that university. It is a success story, and the university is growing to maturity and has a sense of increasing independence.

The member for Nollamara raised a number of issues, particularly about vocational education. Although loans could be made available under vocational legislation, we have no mechanism under which to do that. This Bill formalises the situation, and will allow that to occur. The scheme would be applied only to the providers of vocational training. I do not have an example at this stage, but there may be one in the future - for example, the centre developed by the Chamber of Commerce and Industry in Kwinana could qualify.

It is not our intention to make these funds available to job placement projects or schemes. Future Governments may decide to do that, but the intention now is for schools, and perhaps the provision will be extended to the University of Notre Dame and vocational training areas. I thank members for their support of the scheme. It is a successful scheme which is very well administered.

Mr Thomas: Earlier I asked the Minister to indicate the criteria or mechanism which would be used to assess applications for funding by, say, the University of Notre Dame.

Mr BARNETT: I do not know whether I can answer that at this time. They would be criteria similar to those applying to non-government schools. Notre Dame University is fairly unique. We have made a commitment to assist that university with a library project, and perhaps one other. Perhaps I can answer the question in writing. The criteria would be similar to those applying to non-government schools; however, Notre Dame stands alone.

Mr Thomas: I would appreciate that information in writing.

Mr BARNETT: I thank members for their support of the Bill.

Question put and passed.

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

Sitting suspended from 6.03 to 7.30 pm

SCHOOL EDUCATION BILL

Committee

Resumed from 11 June. The Deputy Chairman of Committees (Mr Sweetman) in the Chair; Mr Barnett (Minister for Education) in charge of the Bill.

Progress was reported after clause 72 had been agreed to.

Clause 73: Educational programme for children with a disability -

Mr RIPPER: I move -

Page 54, line 22 - To insert after "officer" the following -

> provided that the educational programme for that child is part of a system of individual education programmes implemented by the school for students with disabilities and specific learning difficulties whereby -
>
> (a) each programme is developed and regularly reviewed in conjunction with the child, the child's parents, the child's teachers and any relevant specialist teacher; and
>
> (b) each programme moves with the child as she or he progresses through the school or moves from one school to another

This amendment reflects recommendation 16 of the Shean Report on the Education of Students with Disabilities and Specific Learning Difficulties. We need to recognise that the parents of children with disabilities have great concern about the way in which their children are assisted to progress at school. Parents of children with disabilities typically deal with a large number of different specialists: Support people who may assist them at home, people in non-government disability service organisations, and various teachers and other professionals in the school system. That raises real issues of coordination and of bringing together into one coherent plan all of the people who provide support to children with disabilities. That issue is addressed by recommendation 16 of the Shean report, but is, unfortunately, not made clear in the wording of the Bill. I hope the Government supports the Shean report recommendations and will, therefore, accept this amendment.

Mr BARNETT: The Government agrees with the sentiment expressed by the member for Belmont. However, the Government will not support the amendment, because it is redundant. Line 16 at page 54 states "for the purpose of addressing the particular child's requirements". That reflects the fact that it is necessary to look at the individual program for the individual child. That clause and that wording are the result of the public consultation process. Its intention is to enable the use of individualised education programs, to ensure that the lines of communication between the school and the parents are open, and to minimise any potential for misunderstanding. We support the Shean report, which is an excellent piece of work, and its recommendations are reflected not only in this Bill but also in some of the policy and funding commitments that the Government has made for the education of children with disabilities.

Mr RIPPER: The difference between the Bill and the Opposition's amendment, which reflects the Shean report recommendations, is that the amendment embodies an individual education plan for the child which will move with the child as the child progresses through the school or transfers to another school. That is important. It is often quite an onerous task for the parents to advocate for their child and to get a precise and clear understanding of the needs of their child, without having to go through it again every time there is a change of teacher, or the child moves to the next school year or to another school. One of the problems that is reported by parents of children with disabilities is that every time there is some change with regard to their child, they must go through the whole process of re-educating everyone who has contact with their child about the needs of that child. An individual education program which takes into account all of the views of the specialists will ease that often heavy burden on parents of children with disabilities.

Dr CONSTABLE: It would be very difficult not to agree with the sentiment expressed in this amendment. It states what should be accepted practice in all schools. It also states the obvious in good educational practice when we are considering children with learning disabilities. Of course parents should be involved in those programs. Teachers, specialists and parents should work together to ensure that the individual program is appropriate for the child at whatever stage or age. Again, it is good educational practice and it should be accepted that a program move with the child as he or she moves through a school or from one school to another. However, I am not convinced that such good educational practice should be written into the law. Practices change and develop over time. If we had said this 25 years ago perhaps people would not have so readily agreed, but today it is accepted. I would like to see many good educational practices written into the law, but I do not know whether it is appropriate. However, it is appropriate to raise the issue now to reinforce the notion that this is good educational practice. An assurance from the Minister that he agrees with that would be worthwhile.

Mr BARNETT: I thank the member for those comments and I agree. While no-one disagrees with the sentiment expressed by the member for Belmont, clause 73 is powerful. It requires in a legislative and Statute sense that there be consultation with a child's parents and that their wishes be taken into account. In every sense it is empowering the parents of a disabled child. To go to the extent the Opposition is suggesting is unnecessarily prescriptive. For the first time legislation in this State is empowering parents of children with disabilities.

Ms McHALE: I support the amendment. I agree with the Minister that clause 73 is critical and it is a welcome addition to the legislation. However, this amendment enhances it. I disagree with the Minister that it is unnecessary. The amendment does two things: First, it reinforces the parental right to be involved in the educational process of their child and, second, it -

Mr Barnett: This is the first time that right has been enshrined in legislation. It is a huge step forward.

Ms McHALE: I said at the outset that the clause is very important. The Opposition recognises that it enshrines that very critical right in legislation and members on this side welcome that. Without taking it too far, the amendment makes the very clear point that it is a legislative requirement that the program follow the child. That would reassure many parents that they would not have to start over again if they moved their child for whatever reason. It is an important assurance because parents move their children for a range of reasons and it makes educational sense.

Mr Barnett: That is a matter of good management for these children or any other children. It should not be in legislation. It could well restrict educational programs in the future. It is overly prescriptive.

Ms McHALE: In the absence of agreement on this amendment, what will happen to a child's education program were that child to move schools? I am not sure that I agree with the Minister that this could impede the child's educational development. If the child were to be moved and that program no longer met some of his or her needs, obviously it would be redesigned. However, it provides a framework and continuity of education from one school to the next.

Mr BARNETT: I will provide the member with a simple example. A child with a disability is undertaking a program being administered in one school. Perhaps a different and more innovative program is being conducted in another school. The child is not responding to one program, so he or she, perhaps on advice or as a result of parental choice,

moves to another school or program. Why should we dictate that the old program move with the child? It may be detrimental to the child's educational achievement and social development. If the program is working and a change of employment or house means that the child must move, the program should also move. To mandate that might be inappropriate in some cases. That is why this should not be in the legislation.

Ms McHALE: I thank the Minister for that explanation. If this is not enshrined in legislation and the parents want that program to go with the child, will there be any bureaucratic impediment?

Mr Barnett: Professional conduct would mean that that would happen.

Amendment put and negatived.

Mr RIPPER: I move -

Page 54, after line 22 - To insert the following -

(3) The Minister must ensure that appropriate additional resources are provided to a school where a child with a disability is enrolled.

Considerable concern has been expressed about the need for additional resources when children with disabilities are placed in classes. Teachers have said that pressure on them is increased because insufficient teacher aide time is provided to assist with the needs of a disabled child. I had a case in a school in my electorate where seven children with disabilities were in a year 1 class of 25. That often resulted in problems for the children with the disability and the other children. For example, one of the disabled children in the class would run away regularly. The teacher was faced with the choice of running after the child and leaving the remaining children uncared for or letting the child go and caring for the remaining children. In either case, the teacher's legal duty of care responsibility was compromised. It was okay when a teacher aide was present but that was not always the case in this class.

In the same class was another child with a disability who had teacher aide time, but this was entirely taken up helping the child to eat lunch and get through recess and lunchtime. This is a real issue. It is not an easy one for any Government to confront. It is expensive to integrate children with disabilities into mainstream classes. It is increasingly the aspiration of many parents to have disabled children educated in a mainstream setting. For that education, and the education of other children in the setting, to be a success, additional resources must be provided.

We cannot write into legislation a staffing formula to provide the additional assistance. First, it would be inappropriate for it to appear in legislation. Second, the needs of children with disabilities are very different, and each case has different requirements, so it is difficult to produce an overall formula. However, we need to make a statement in the legislation that it is recognised that additional resourcing must be provided. The entire experiment can come undone if sufficient additional resources are not provided. Everyone will be disappointed with such an outcome. Also, a degree of division could emerge within schools between parents of children with disabilities and parents of other students. A child with a disability cannot be put in a class without the provision of additional resources. The education of all the children will be compromised; teachers will be stressed; and a division could emerge between parents.

I am not trying to write a formula into the legislation, but a clear statement should be made that appropriate resources must be provided. A discretion will exist for the Minister to determine the "appropriate" level of resourcing. This program will not succeed without the provision of additional resources.

Mr BARNETT: I argue that the member's requested statement is implicit in clause 73, which refers to a child's requirements. Subclause (2) refers to the implementation of an educational program for a child, and how it is to be decided. The Opposition's amendment is about policy and the level of resourcing. Every Government, every Minister for Education and every Director General of Education is accountable for the way in which resources are allocated to children with disabilities. Earlier this year the Government announced a program of inclusion with gradually increasing numbers of students with disabilities to be included in mainstream classes each year. The member would agree that the program was widely acclaimed and supported by representative groups of parents with children with disabilities.

Another issue arises, particularly among teachers, about the rate at which this can done. I agree that the placement of children with disabilities in a classroom needs adequate resources. We are trying to develop in the education system - perhaps it already exists to a large degree - a range of opportunities for children. This ranges from separate education, and care in instances of severe disability, through to inclusion in the classroom. Parents, children and teachers should have that choice according to the level of disability and the achievement of the child. It may be that during the course of his or her education, a child will move into more inclusive or less inclusive environments depending on how the child is progressing.

That choice is provided, and the Government has dramatically increased funding for children with disabilities. The Government opposes the amendment, not because of what the Deputy Leader of the Opposition has said - it is important that these comments are raised in this debate - but because what he seeks is a matter of the policy of the day and the level of resources provided. This Government can stand proud for the way it has increased funding for these areas, particularly the inclusion program.

Mr RIPPER: What is the basis of additional resources provided to schools where children with disabilities are enrolled at the moment? I appreciate that sometimes judgments need to be made about individual cases, but does an overall formula or policy apply which guides the Minister or his department in the provision of the additional resources?

Mr BARNETT: I am happy to provide that information. At a minimum, as the press release indicated for the inclusion program, much of the funding went to additional teacher aide resources to assist those children. I am happy to provide additional information to the member.

Amendment put and negatived.

Clause put and passed.

Clause 74 put and passed.

Clause 75: Enrolment -

Mr RIPPER: I move -

Page 55, lines 16 to 25 - To delete the lines and substitute the following -

75. (1) A child is entitled to be enrolled at a government school if his or her usual place of residence is within the intake area for that school.

(2) A child whose usual place of residence is not within the intake area for a particular government school is entitled to be enrolled at that school if -

(a) there is classroom accommodation available for the child at that school; and

(b) the enrolment would conform with any other criteria prescribed by the regulations for the purposes of this section.

(3) Any child to which subsection (1) applies shall have priority of enrolment over any child to which subsection (2) applies.

This clause deals with the enrolment of a child in a government school. My amendment reinforces and guarantees the right of a child living in the local intake area of the school to enrol at that school. Some debate ensued in previous clauses on the role of government schools in local communities. I repeat: The Opposition regards local government schools as important local community institutions. We fear that the Government has another vision for schools as competitive service delivery organisations. If the Government's vision comes to pass, a weakening will occur in the connection between schools and the local community. That would be bad for communities and for educational outcomes in schools. Educational outcomes of students are improved if students feel strong parental and community support for what they do.

The Opposition does not oppose cross-boundary transfers, as provision is needed for parents to exercise choice regarding the enrolment of their children. However, the Labor Party is concerned that circumstances might arise, because of the popularity of a school with the programs it offers, where a local child might be prevented from enrolling in that school. The situation should never arise in which a government school principal can say to a child living locally, "I'm sorry; the school is full. You cannot enrol here." People may say that that does not happen at the moment, but we already have that phenomenon with places for four and five year olds. Already, people can front up at the local school and be told that no place can be found for their four or five year old child in that school. The parents are then given a list of other schools in which they can seek enrolment.

It is happening already with four and five year olds, and if the Government's vision comes to pass, and budgetary restrictions apply for other education years, that denial of enrolment opportunity could occur. If it comes to pass, it will be a sorry state of affairs with a resulting weakening of the sense of community. My amendment is designed to ensure that absolute priority is given for somebody who lives locally to enrol at the government school, without compromising the possibility of parental choice.

Mr BARNETT: We have discussed this issue of local enrolments. It is also covered in clauses 77 to 80. If the Government were to agree to what the Opposition is proposing, it would have the effect of getting rid of subclause

(2)(a) and (b). We might almost call that the "Broome clause". Let us take the problem, for example, of a family going to Broome, claiming it as the usual place of residence while on holiday and demanding a place in the school for the child. We must ensure that type of misuse of enrolment procedures is not permitted to take place. It would have an unintended and undesirable consequence. I do not support this amendment. This issue is adequately covered.

We have already discussed the third point of the amendment, and it has been debated with respect to local intake area boundaries. As I say, the general principle is that the Government proposes, perhaps after a year or so, to remove those local intake area boundaries to allow parents greater choice. Where there is pressure on a school, because the number of local children is near or even exceeds school capacity, a local intake area boundary would be put in place to ensure the local children have priority at a school. Those boundaries will be put in place only where they are required; otherwise, parental choice will be allowed.

Mr RIPPER: Can the Minister give a guarantee that children will not be prevented from enrolling at the local school? Let us assume that the Opposition's amendment is defeated and this Bill goes through as the Minister prefers it. Can the Minister tell us that there is no way a child living locally will be prevented from enrolling at the local government school because that school has taken too many students from outside its intake area?

Mr BARNETT: Yes, I can give a guarantee, to the same extent as there is a guarantee now. If the enrolment levels in a school are rising with children from the local area, under this legislation and the management policies that will follow, a local intake area boundary will be put in place. If a school is approaching the situation where the pressure on enrolments is such, the boundary will be imposed. It will be imposed to deal with a situation where there is pressure on a school; not to deal with all schools, regardless of whether they are over-enrolled or under-enrolled. Yes, I can give a guarantee that it will not happen to any greater or lesser extent than it currently happens.

Ms McHALE: I wonder whether the Minister can help me to understand what is being proposed here. As I understand it, the Minister said that he would remove the local area intake boundaries.

Mr Barnett: That's the intention.

Ms McHALE: How do parents know which is the local school, because there is no such thing as a local school any more?

Mr Barnett: The closest or the one they choose.

Ms McHALE: Is it the closest, or the one they choose?

Mr Barnett: The one they choose, and one would presume they would choose the closest, but they may choose one that is a little further away, for whatever reason.

Ms McHALE: Let me give this example: If the boundaries are removed, and the concept of local intake is removed, I, as a parent, think my local school is school X, but it is full and I cannot enrol my child there. What guarantees, assurances or priorities do I have, because there is no such thing as a local school any more?

Mr Barnett: If there is pressure on a school's enrolment, we would impose a local intake boundary.

Ms McHALE: Is that happening after the horse has bolted?

Mr Barnett: No. We can watch and we will know how many classrooms and teachers there are. If classes start to fill up or approach full capacity, we would then impose the intake boundary.

Ms McHALE: Is this for only secondary and primary schools or is pre-primary schooling included in that as well?

Mr Barnett: It is for compulsory years of education.

Mr RIPPER: I seek clarification of that last piece of information. We now have a situation where there is no local area intake priority for four and five year olds. I am thinking of a situation that applies under the present legislation. If the four year olds' program is full at the local school, parents must find another school that has a vacancy. Is this an interim situation; will it be the future of education for four year olds and five year olds; or will we eventually move to a situation where the local intake areas will be applied in the same way as they would be applied if we had enrolment pressure in year one or in year seven?

I also ask similar questions about the post-compulsory years. Will we eventually have a situation where there is no local priority in years 11 and 12, or is it also intended to apply the local area intake boundaries when there is enrolment pressure in years 11 and 12? It is not necessarily a problem at the moment, but after all the high schools have been closed, there might be more pressure on some high schools than there is now.

Mr BARNETT: When we open the new high schools, I would hate to be a local member of Parliament telling my constituents that they cannot go to these fantastic, new, high-tech high schools. I suggest that if we were to impose rigid local intake boundaries, members opposite would come back to me very quickly saying that their constituents wanted their children to go to the new school, even though it may not be the closest. As a Liberal Government, we will give them that choice.

This applies with respect to the compulsory years of education. Nothing prevents the local intake area boundary being applied to post-compulsory years, or the pre-primary or five year olds' programs. I acknowledge currently there is some pressure and clamouring for places in the early childhood program. I am certain that is part of the introduction of the program. We must bear in mind that in 1996, 55 per cent of five year olds had pre-primary places. Of all eligible children, 100 per cent now have that. There has been a quick transition. From next year our commitment is that 100 per cent of four year olds or kindergarten children will have at least two sessions a week, progressively increasing to four sessions. The physical act of introducing effectively a thirteenth year and a thirteenth and a half year, if you like, of education is huge in its logistics. It involves the transfer of facilities from Family and Children's Services, community kindergartens and lots of little local issues being sorted out and, in many ways, they may be quite difficult. Once the programs for four year olds and five year olds are fully introduced, it will be a fairly smooth process. Parents will enrol their children, if not at the kindergarten year, at the pre-primary year in the school which they will attend.

Dr CONSTABLE: I have been listening carefully to what the Minister said, and I am still a little confused about how the situation will work when we have disbanded the local intake boundaries and how quickly they can be imposed in situations where they need to be. I can foresee that this may create some problems in a family where one or two children are enrolled in a local school and it is found that the third child cannot go to the same school because a particular year is already full. I ask the Minister to address that issue because I can see it looming as a real problem for some families.

Another question that arises is how early parents can enrol their children in a school when there are no boundaries. Can children be enrolled from the day they are born to ensure they will get places in the local school of their choice, as parents often do when they want to enrol their children in non-government schools? They enrol them very early to ensure places. Can the Minister enlighten us about how he sees these procedures developing and changing?

Mr BARNETT: The local intake boundaries are imposed, if necessary, by the director general on an annual basis. That requires forward planning and identifying schools coming under pressure of enrolment locally. As to when a child may be enrolled in a school, that is not prescribed within the legislation; however, it would be an administrative matter. We would not countenance parents enrolling their children in government schools well in advance.

Dr Constable: Why not?

Mr BARNETT: For exactly the reasons that are raised.

Dr Constable: They have freedom of choice. Why not?

Mr BARNETT: We would exercise freedom of choice when the child is ready to go to school, and that would be in the third or fourth term of the preceding year.

Dr Constable: You are inviting problems in the sort of situation I suggested.

Mr BARNETT: I do not think it would be equitable in a government school system to allow parents to select a primary school years in advance of a child attending, when we may not know exactly the demographics of that school.

Dr Constable: How do you explain that to parents who already have two children in a school and the third cannot get a place in the same school?

Mr BARNETT: That would come within the issue of the local intake boundary, if it arose. It would arise only if the school was under pressure.

Dr Constable: That is far too late.

Mr BARNETT: Again, if that family lived locally, there would be no problem. It would only be a problem if the family did not live within the local area of the school. It would then occur only if the school had a local intake boundary applied, which is in a fairly limited set of circumstances.

Mr CARPENTER: I cannot let this clause go by without raising the warning flag. I understand the philosophy behind the Minister's and the department's move, and I understand the theoretical benefits that apply when the boundaries are removed. Schools will be opened up to the choice of parents and competition will be engendered in the schools. I believe that the Minister is making a mistake by abolishing school boundaries. The sorts of

circumstances that the member for Churchlands referred to will happen. Once the local boundaries are abolished, it will not be a matter of simply reinstating them. It might take five or 10 years when the activity of parents sending their children to a school in another area has become almost a tradition. What will happen then when the Government tells parents that their children cannot be sent to those schools any longer? The other difficulty that arises is that some schools will be very unattractive for parents to send their children to, and they will do everything they can to avoid sending their children there.

Mr Barnett: That happens now.

Mr CARPENTER: If it is happening now, then we must ensure that the boundaries work better than they are by fixing the problem. Through this legislation, the Minister is giving parents the opening to take their children out of the school in their areas and send them somewhere else.

Mr Barnett: Why deny a parent or child the choice if there are two schools both with spare capacity?

Mr CARPENTER: The Minister has a false notion of what is choice. The Minister does not understand there is no choice for many people. The children do not make the choice, if there is one. This notion of choice is false. People do not sit around with a level of education, intelligence and understanding and make a rational choice about which school they will send their children to.

Mr Barnett: They do. We get hundreds of applications every year for cross-boundary enrolments, so parents are exercising choice right now and they have been for years.

Mr CARPENTER: The department might get hundreds; however, thousands of parents have their children at school. They just send their children to the nearest school.

Mr Barnett: They could do that.

Mr CARPENTER: I understand what the Minister is saying but I disagree with the outcome. The Minister will open up a situation in which it will encourage the decline of certain schools and some parents will not want to send their children to a declining school under any circumstances. Other parents will just send their children to the local school. That school will be in decline because of this principle that the Minister is trying to impose. This false notion of choice is wrong. It will apply to a small number of people who sit down and make a choice; however the vast number do not. The children will suffer if there is a decline in the education standards in a school.

Mr Barnett: I will provide a real example, but I will not name the school. There are schools in the western suburbs that would be regarded perhaps as being very elite or attractive schools. Many of these schools have students from well outside the area because their parents work at Sir Charles Gairdner Hospital and elsewhere. Schools that have spare capacity due to the incidence of private education in the area have students from well outside the area because of the convenience of delivering children to school on the way to work. Why deny parents who live in the member's electorate the right to send their children to schools close to where they work?

Mr CARPENTER: Every system put in place will be imperfect. Problems will emanate from any system the Minister put in place. I concede that the current system is imperfect. Many parents think it is more imperfect than other parents. The Minister will create more problems through the abolition of boundaries. All sorts of difficulties will arise. It will be impossible later to tell parents that they can no longer send their children to a school because a boundary has been put in place.

Mr Barnett: I do not want to impose boundaries; I want to give parents a choice. Your party wants to impose that boundary.

Mr CARPENTER: The Minister is creating more problems.

Mr Barnett: This is antiquated thinking.

Mr RIPPER: It is not a matter of antiquated thinking. It is a matter of recognising the importance of the link between the school and the local community. That is achieved if a priority is established for local enrolment. In listening to the Minister and reading the Bill, one can see that there is only a priority for local enrolment if the school is a local intake school. Under earlier clauses of this Bill, the Minister will have the power to declare some schools to be local intake schools, but he does not have to declare all schools to be local intake schools. The Minister is saying that most schools in the future will not be local intake schools, and there will be no local priority in enrolment matters. There will be priority for local enrolment only if the director general determines that a school should have a local intake area. A situation in which a child will have a right to enrol at the local school if he lives locally will change to a situation in which a child will not have that right according to the law. One will have that right only if the director general decides to make the school that the child wants to attend a local intake school. The Minister is saying that

he believes in local enrolment priority. Therefore, at any time when pressure is placed on a school, the department will be able to declare it a local intake school and then the priority will apply.

From the point of view of members of Parliament and people in the community, we are being put in the position of relying on the Minister's assurance that an administrative action will be undertaken. It is not necessarily the case that the director general will take that action. A different education policy might be applied. There might be a Cabinet reshuffle and the member for Alfred Cove might be the Minister for Education. There might be all sorts of peculiar arrangements. Where is the clause in this Bill that protects us from the member for Alfred Cove? To put it more seriously, no guaranteed right of local enrolment exists at a local government school under the Bill. The only right will be if the director general takes the administrative action of declaring that school to be a local intake school.

Mr BARNETT: Criteria will be developed to ensure that local children have priority to go to their local school. However, we will deal with that administratively and allow parental choice, and philosophically, the member may disagree with that. We believe that parents should have choice and that all government schools should be good schools. If a school is losing enrolment, then I, as the Minister, and the director general of the day will want to know why. We will want to improve that school, because we are not interested in maintaining poor and under-performing schools. We will not restrict parental choice or force children or parents to go to a school which is not performing. We would rather improve the performance of the school.

Mr PRINCE: The member for Willagee should stretch his mind back to ancient history when he was a youth and remember that in Albany there was Mt Lockyer Primary School, Yakamia Primary School, Spencer Park Primary School and Albany Primary School, all of which are close together. They are some kilometres apart, but by and large it is only a matter of five or 10 minutes in a motor vehicle between all of the schools I have just mentioned. In the five and a half years that I have been a member, people have come to me for assistance in getting a border transfer for their child to another school because that is the way they go to work, that is the most convenient place, or they as children went to that school. I have many files on those matters. Mostly, the authorities cooperate, when they can. The other two government schools are Flinders Park Primary School which is more than 10 kilometres from the centre of town, at the Oyster Harbour subdivision, and Little Grove Primary School, on the other side of the harbour, which although only 2 or 3 km away in a direct line is about 12 or 13 km away by road. At those two primary schools the original group of parents has exercised choice. Those parents have taken their children where they wish to take them. Due to a growth in population Yakamia Primary School had around 800 children in a school built for 400 children. It was literally bursting at the seams. It was a terrible situation. A new school was built at Little Grove, but this new provision in this Bill will enable the authorities to say that at the Yakamia Primary School the local area will have priority, and everyone else can be moved. A primary school of that size - I think it was about the biggest in the State then - was far too big, in both its physical proportions and its student population. It was very difficult to handle. I pay credit to the principal and to the staff for the change. However, there was some dislocation of a number of children who moved to a school closer to where they lived, at Little Grove, when it opened. That caused problems, but that happens with a growing community and a growing number of children in certain areas.

The same occurred at Flinders Park Primary School which, again, is in a relatively new area where more growth is occurring to the north, and one would expect people to be able to say that, where appropriate, this is the school to which children in the area should go, rather than coming from some other area - perhaps because they prefer another standard. However, parents should still have the ability, if they travel into Albany for work, to drop off their children at the Albany Primary School or at the Spencer Park Primary School - the one they pass - because it is more convenient, and the standard of education is still good.

Mr Carpenter: You are talking about the present situation.

Mr PRINCE: I am talking about my home town now, and its evolution in the past 20 years. Its population has grown from 15 000 to about 33 000. We are enabling flexibility at the local level to deal with growth, in my town, while maintaining the viability of the existing schools, because people are mobile in their daily lives. That is the best of both worlds, rather than having an artificial boundary on a map, down the middle of a road, which does not have any relationship to people's travel patterns on a daily basis, either for work or for any other reason. They are largely the determinants of where they would like their children to go to school or their carefully considered judgment about one school against another, because they think it will be better for their child - often because a school runs a program in a certain area, and another does not; or for other reasons. Often in Albany it is a case of tradition: The parents went to that school, therefore they want their child to go there.

Albany has two government high schools -

Mr Carpenter: I understand. You are supporting what I said.

Mr PRINCE: No. I support choice.

Mr Carpenter: You are supporting the current situation.

Mr PRINCE: Boundaries are irrelevant. People cross them all the time. They exercise choice, and they should be empowered to do so; but it should be possible at a local level to make determinations in that regard. That is what this Bill is all about.

Mr RIPPER: The Minister has misrepresented the argument of the Opposition. He has tried to paint himself as the champion of choice and the Opposition as something like the Communist Party of Albania. We support choice, and we particularly support the choice which most people want to make. Some people want to make a choice to enrol their children at the local government school -

Mr Barnett: They can, and they will be able to.

Mr RIPPER: We fear that under this legislation some people will lose the right to make the choice that most people want to make. Because other people will make choices to enrol at the local school, the school will fill up, the director general will not declare it to be a local intake school, and the family will be told that the school is full; that as a result of the Minister's choice policy, the school is too popular and people will need to go somewhere else. That is happening now, with four year olds and five year olds. Under this Bill we must rely on the administrative wisdom of the director general, otherwise it will happen with people seeking to enrol their children in years 1 to 10. That is the nub of the argument. Will people have the right to make a choice that the majority of parents want now, or will they find that the director general will not behave as the Minister suggests and people will lose that choice?

Mr BARNETT: This is nonsense. What Director General of Education, what Minister, would deny a child the opportunity of enrolling at a school over the road? This is sheer nonsense. The Opposition would want to put a restriction on the government school system. Then, its members would return to this place in six months and ask why government schools are falling behind the Catholic system or any other system. The Opposition wants to put shortsighted, unimaginative restrictions on our government school system. We want the system to flourish. We want schools to prosper, to attract students and to develop. The Opposition wants to return to the 1950s, the 1940s, the 1930s and - God forbid - the 1920s! Why not have confidence in schools to develop their programs and to attract students? Why not trust the parents, the voters, to make decisions? Why not trust the director general and the Minister of the day to allow choice, but also to ensure that local children go to their local schools? This is pathetic! If there is a philosophical difference over this Bill, let it be this point. Members opposite are returning to the Dark Ages, and restricting government schooling and public education in this State. Why not let it flourish? The Opposition is hopeless!

Mr RIPPER: The Minister has completely misrepresented or wilfully misunderstood the argument put by the Opposition. We are not arguing that parents should not have a choice. Explicitly, in debate on earlier clauses, we supported that choice. Our argument is that children should have the choice to enrol at the local school. We do not want children crowded out of their local schools. We are arguing that under this Bill there is no right to enrol at the local school. The Minister postulates the director general's use of certain clauses in this Bill, administratively, to provide that right. However, that is not a right; it is a hope that it will occur due to the exercising of good management and government policy. However, government policy may change; management might not be so good, and people will lose that right. The right should be enshrined in the legislation.

Mr Barnett: Read clauses 77 to 80; it is all there.

Mr RIPPER: I refer the Minister to clause 79 - Enrolment of children of compulsory school age at other schools. It does not provide local priority for enrolment of children. Under earlier clauses which allow the Minister to declare some schools to have local intake, but not others, the Minister proposes to have most schools without a local intake boundary. Most schools will be covered by clause 79, and that clause does not provide local priority of enrolment. Perhaps we must agree to disagree on this clause. However, I will not have the Opposition painted as some sort of compulsion-orientated 1950s group, when we are trying to say that schools are local community institutions and parents should have the right to enrol their child at a local community school. Children should not be crowded out because someone has decided that schools should be competing businesses, and because their school has been a little popular with people from outside the area, they lose their local rights.

Mr BROWN: I support the amendment. Perhaps it is timely that this debate is occurring now, because a few days ago I received a call from a local P & C association at a very popular school in my electorate. The school needs additional space - a matter which I will raise at a different time. Although it is an older area and an older school, the area is changing. The density of the population is increasing and the demographics of the population are changing. Many young families are moving into the area. I spoke to the president of the P & C association. I have dealt with her on a number of occasions about community issues. She is a very astute woman who is strongly committed to the community. She expressed exactly the same concerns as those raised by the member for Belmont. Enrolments are

increasing in this school. It is currently full. It takes a number of students from outside the boundaries. There is concern that students coming to the school during the year will be excluded from it.

Mr Barnett: What has happened to the boundary system? Is it not working?

Mr BROWN: Not in that case, no. What this amendment, as I read it, intends to do regardless of what the argument might be -

Mr Barnett: The member for Bassendean should not feel constrained by the argument in any way. He never has been.

Mr BROWN: The amendment states -

> A child is entitled to be enrolled at a government school if his or her usual place of residence is within the intake area for that school.

This seeks to overcome the issue that has been raised with me by the P & C association, but it does not stop there. The amendment continues -

> A child whose usual place of residence is not within the intake area for a particular government school is entitled to be enrolled at that school . . .

The amendment goes on to talk about space and so on. The amendment seeks to create a right, not an obligation but a right, for children who live in a local intake area to attend their local school. It also seeks to ensure that children who wish to enrol at another school may do so. Subject to two conditions there is no limitation. The first condition relates to space being available at the other school. That is an obvious limitation; neither the Minister nor the Education Department would agree to an out of area student enrolling at a school where there is no space and compounding the problem. The second condition is that the enrolment comply with other criteria prescribed by the regulations for that section. The regulations set out the various conditions and criteria which will be used. There will be competing demands with some schools.

Another school in my electorate will now run a program for artistically talented students as an adjunct. That is good; it is an excellent program. It is a school with reasonable classroom space at present. However, we could reach a point where parents with artistically talented children want them to attend that school out of boundary. That is fine; there is no problem with that providing there is space and the local students are not crowded out. As I understand it, the intent of the amendment is to ensure that local students are not pushed out. It seeks to create a right for the students who live locally to enrol in the local school. The step down from that is that students who live out of the area can attend that school subject to space and the other criteria.

This is a reasonable amendment. It does not do anything like the Minister purports it does. It will not stop cross-transfers or out of area placements. I cannot see the problem, other than it creates a right for local students to go to their local schools. I support that right.

Ms McHALE: The Minister has used the words "flexibility" and "choice" on a number of occasions in this debate. He has been very derogatory about the Opposition's position. It is not necessary for me to retrace the ground of the member for Belmont. However, I make the point that the community has heard the words "flexibility" and "choice" used in relation to the industrial relations legislation. Understandably, people are very concerned about these words. They do not believe the Government when it comes to flexibility and choice in the context of industrial relations so why should they believe the Minister when he says there will be choice and flexibility?

Mr Barnett: What would the member for Thornlie like? Rigidity and compulsion?

Ms McHALE: No. We have argued that point and we know the Minister will not agree.

Mr Brown interjected.

Ms McHALE: Our position has been made clear by the members for Belmont and Bassendean. However, I ask a question which might shed some light on the debate. The Minister said earlier there were hundreds of applications for cross-boundary -

Mr Barnett: If not thousands.

Ms McHALE: Is it thousands now?

Mr Barnett: I imagine it would run into thousands.

Ms McHALE: In that case the Minister may not be able to answer the question but I will put it anyway. Are there

any trends or preferences - let us just deal with the metropolitan area - for those schools? Are there particular schools with a disproportionately high number of cross-boundary applications? I am interested to know if the Education Department can geographically plot the destinations of those applications.

Mr BARNETT: Some schools are better regarded than others. That trend is present in both high and low socioeconomic areas. Parents have a choice. Under this regime, a local intake boundary would be imposed when pressure is placed on an enrolment. I make it clear that we intend to maintain local intake boundaries for at least a year and then to progressively relax the system. We are not talking about wholesale change but we do want to -

Mr Ripper: If that happened there might only be half a dozen local intake boundaries.

Mr BARNETT: Who knows? I think there would be more than that because many schools are under pressure. This will be an issue in rapidly growing areas such as Rockingham and Ballajura where school populations are growing quickly. Those schools might have intake boundaries from day one. Other issues have been raised, for example, siblings. Under the criteria, even with the local intake boundaries, an enrolment from outside may be allowed if it is a brother and sister situation. That is fine; it is commonsense.

Mr Carpenter interjected.

Mr BARNETT: Of course it does! There is nothing wrong with that. This will allow that too. At the end of the day, a child will be able to go to the local school. Children will always be able to do that. If the Labor Party happens to get back into Government, under clause 78 it can re-enact local intake boundaries for every school across Western Australia. However, I am willing to bet right now that when that dark day comes and the Labor Party is returned to power, its Education Minister will not reinstate local intake boundaries. I guarantee the Labor Party will not do that. It would be immensely unpopular with the community.

Mrs van de KLASHORST: I support the Minister. In the hills many parents work and this causes difficulty. I had the same difficulty myself. I was working in Midland and my children attended school in Mt Helena. They were leaving home at 7.30 am to catch the school bus and no-one was home at night when they returned at four o'clock because I had not finished work. Many parents in the hills take their children with them to where they work. Some of them work in the metropolitan area and they send their children to the schools closest to their work. Therefore, I support these children being able to go to schools other than their local schools.

This will not affect the local school enrolment. In the main, parents want to send their children to the local school. However, there are many exceptions where people would rather not have their children waiting at bus stops in the middle of the bush at four o'clock in the afternoon with nobody to collect them because they are working in the city. It is important that they be allowed to take the children to Perth or wherever their employment is and enrol them at the nearest school. That means they can collect their children after school and continue their employment. This is an important part of the clause. I support the cross-boundaries provision.

Music is a specialty at Eastern Hills Senior High School. Children from other schools go there for a specialist education if they have a musical talent. Some children from that area go to Mt Lawley which teaches aeronautics. Their parents are willing to drive them there. This is one way of giving people who are exceptionally talented in different areas - or have a chance to use a particular area for their future employment - the opportunity to cross boundaries and move down. Therefore, I support the Minister.

Mr PENDAL: Is the Minister saying that students are not turned away within school boundaries at the moment? Only yesterday it came to my attention that South Perth Primary School - which has an enrolment of 370 or 380 pupils - is in dire need of an administration area upgrade, etc. However, in four cases at the end of May and in early June, because of the numbers in the 11 classes they operate - again this is only what I have heard in the past few minutes, so I have not had time to retrieve that letter - no fewer than four or five enrolments have been turned away because the class numbers are at 32. I will be corrected if I am wrong. In some classes the numbers have gone up to 33 and 34. It puzzles me to hear an assertion on the Minister's part, if I heard correctly, that that does not occur.

Mr BARNETT: I refer all members to clause 78(1) which states -

> A child of compulsory school age is entitled -

That is a right. To continue -

> - to be enrolled at a local-intake school if -
>
> (a) his or her usual place of residence is in the intake area for that school; and
>
> (b) an appropriate educational program is available for the child at that school.

Therefore, if a child lives in the local intake area, the child is entitled to be enrolled in that school.

Mr Ripper: If the school is a local intake school; and a lot of them will not be.

Mr BARNETT: Yes, but any school under pressure will be declared a local intake school. Where there is a problem it will be declared a local intake school and that child will have an entitlement.

Amendment put and a division taken with the following result -

Ayes (17)

Ms Anwyl	Mr Grill	Mr McGowan	Mrs Roberts
Mr Brown	Mr Kobelke	Ms McHale	Mr Thomas
Mr Carpenter	Ms MacTiernan	Mr Riebeling	Mr Cunningham *(Teller)*
Dr Edwards	Mr Marlborough	Mr Ripper	
Dr Gallop	Mr McGinty		

Noes (27)

Mr Ainsworth	Mrs Edwardes	Mr Masters	Mr Sweetman
Mr Baker	Dr Hames	Mr McNee	Mr Trenorden
Mr Barnett	Mrs Hodson-Thomas	Mr Minson	Dr Turnbull
Mr Barron-Sullivan	Mrs Holmes	Mrs Parker	Mrs van de Klashorst
Mr Board	Mr House	Mr Pendal	Mr Wiese
Mr Bradshaw	Mr Kierath	Mr Prince	Mr Osborne *(Teller)*
Dr Constable	Mr Marshall	Mr Shave	

Pairs

Ms Warnock	Mr Court
Mr Graham	Mr Cowan

Amendment thus negatived.

Clause put and passed.

Clause 76 put and passed.

Clause 77: Enrolment of children below compulsory school age -

Mr RIPPER: This clause deals with the enrolment of children below compulsory school age. It is noteworthy in this clause that there is no local priority at all in enrolment matters. The current situation is a four or five year old child cannot be enrolled at their local school if that local school's program is full. In order to have the child placed in a school, the parents then have to look around for some other schools which may be some distance away.

It is clear that under this Bill this situation will continue because a number of clauses in this Bill relate to enrolment matters. This is one of them in that no local priority whatsoever is accorded; similarly with clause 79, which relates to the enrolment of children of compulsory school age at non-local intake schools; that would be the majority of schools. The same situation applies with clause 80 which deals with the enrolment of children in the post-compulsory education period.

If these three clauses are supported - and I am sure they will be - in the future children below the compulsory school age, children of compulsory school age enrolled or seeking enrolment at non-local intake schools and children of post-compulsory school age will have no local enrolment priority. Those children who will have local enrolment priority will be children only of compulsory school age and seeking enrolment at a local intake school in which local intake area they happen to live. Therefore, clauses 77, 78, 79 and 80, taken together, with the addition of the defeat of the Opposition's amendment which has just occurred, mean that only a small minority of children will have that local enrolment priority.

Mr BROWN: Are we going to hear from the Minister on this clause and how it is to operate? The member for Belmont has raised the question about children living in the local area having access to the local school. What criterion is to be used, bearing in mind what the Minister said about the previous clause, with respect to children who are involved in pre-compulsory school education? I am aware there are cross-boundary situations with pre-compulsory schooling at present, because not every school offers this type of educational opportunity. However, the Government has made a commitment to parents who wish to enrol their children in preprimary education. How will these children be accommodated given what the Minister said about the need to look at children going to their local school and where their siblings are going?

Mr BARNETT: This revolves around the distinction between compulsory and non-compulsory education. Where education is compulsory the structure of the legislation makes it clear a place will be available through the use of local intake boundaries and other policies. For non-compulsory education, whether preschool or post-compulsory education, there is an entitlement to a government school education and that does not extend necessarily to one's local school. We are in the transition period of developing a universal preprimary and kindergarten program. Some of those programs are being delivered in family centres and community kindergartens, and not necessarily the local school. We are managing to make the best use of the existing community resources and it is often the wish of the community that the program be delivered at a community school or family centre rather than at the local school, and that may be further away. There is some flexibility. There is no compulsion to provide a place; it is an entitlement to a place.

Mr RIPPER: My reading is that there is no capacity to declare a school to be a local intake school with regard to the enrolment of the children below the compulsory school age.

Mr Barnett: That could be done. There is nothing to stop it.

Mr RIPPER: Perhaps a school could be declared to be a local intake school under some other clause.

Mr Barnett: It can be done under clause 77(b) by way of regulation. If we choose to do it, it can be done.

Mr BROWN: The Minister referred to family centres used to deliver the preschool program. Prior to the last election there was a change of policy and the then Minister for Family and Children's Services and the Minister for Education announced jointly that all four year old programs would be taken out of family centres and would come across to schools.

Mr Barnett: They would not be taken out of family centres. Responsibility and funding for some those programs would change from Family and Children's Service to the Education Department, but we may continue to use the family centre facilities.

Mr BROWN: Prior to that media statement, in the middle of 1996 the former Minister for Family and Children's Services, the member for Mandurah, indicated that these programs, which were initiated in a statement in either 1993 or 1994, would be transferred from family centres into schools. Questions were raised at that time about the optimum use of some family centres because some of those centres which were comparatively new were not going to be used effectively. I raise that in the context of the people who were employed either directly by Family and Children's Services or through grants from Family and Children's Services who were transferred to the Education Department in a process in which some staff came over for the first time in 1997, some in 1998 and some will come next year. The staff who were transferred in 1997 were given 12 month contracts by the Education Department, and then their employment was terminated. That matter has been raised with me by a number of those people who have been delivering this program as either aides or teachers in a part time capacity. I understand that staff employed this year in the Education Department who were transferred at the beginning of this year from Family and Children's Services have likewise been given an indication that at the end of this year their employment will be terminated. That issue has been raised with me by people who think that decision is harsh and capricious.

Although this is not strictly related to a provision in the Bill, as we are dealing with preschool education it is appropriate to raise the issues of staffing for preschool education so the Minister can respond and advise whether the services of the people who are currently employed in that transition will be terminated at the end of the year and to ask what consideration the Government has given, if any, to those people who have given long and faithful service to Family and Children's Services.

Mr BARNETT: I do not doubt for a moment what the member for Bassendean has said. However, it must be seen in context. The expansion of the five year old program by definition offers far more employment within that early childhood area because the number of students will increase. The criteria for employment are the need for personnel and their qualifications. I will not look into individual circumstances but I will look at where the member believes a policy is failing or some group has been treated unfairly generally. Where there is a need for them to be employed, they have been employed.

Mr BROWN: I also ask the Minister to look at the situation of staff who are currently in transition and those staff who will be employed or transferred next year.

Mr Barnett: I am prepared to look at that issue.

Mr MARLBOROUGH: I recall attending a public meeting in the Town of Kwinana three or four years ago after the Government indicated it would take four year old education and five year old programs away from family centres and put them into primary schools. The outcry at the time from many of the families was that primary schools did not have the services to adequately cater for young children. They felt it was not appropriate for four year olds to

play in the same playgrounds as 11 or 12 year olds or that they should use the same toilet facilities. They felt that special facilities should be built for four year olds in the primary schools. The Minister may recall that the cry came from around Western Australia, and I understand the Government made two commitments. First, the principals of those schools that were not in a position to accommodate four year old children could indicate that to the department. Second, where an indication was given that four year olds would physically move into the school, appropriate facilities would be built to accommodate those children and separate play areas and ablution facilities would be provided. In some instances that occurred. For example, the Medina Primary School's program for four year olds was conducted in a building opposite the primary school. When the program moved to the school area, appropriate facilities were put in place which included separate ablution facilities for four year olds. On the other hand, the North Parmelia Primary School has no facilities for four year olds.

Recently, there has been growing concern in the Rockingham area that primary schools will conduct programs for four year olds on site, even though it had previously been decided to use family centres, because the Government has not made appropriate arrangements. It has not allocated the resources to accommodate them in primary schools. In the past week or two the Minister visited schools in my electorate and I thank him for doing that. He may have noted that in those areas with massive overpopulation in existing schools and massive growth in the population, the existing family centres cannot cater for next year's intake of four year olds, and places must be found for them in primary schools. However, many of those children who must start at the Rockingham primary schools will be placed in demountable buildings, which are not appropriate for four year olds, and will need to share playground areas and ablution blocks with 10 and 11 year olds.

I remind the Minister that a promise was made three or four years ago, at public meetings attended by Education Department staff, that suitable facilities would be provided for four year olds. That is why parents wanted the children to stay in the purpose built family centres. I need to be assured that funding is available to fit out the schools that will take four year old children next year with appropriate playgrounds and ablution block facilities.

Mr BARNETT: I am conscious of the problems raised by the member for Peel, certainly in areas of rapid growth such as his electorate. It has always been my view that existing facilities, particularly purpose built family centres, should be used for four year olds. My preference has always been for programs for four year old children to be conducted off school sites, and programs for five year old children to be conducted on school sites. It depends on the numbers and the school sites available. I think four year olds should be in more of a kindergarten play environment.

Mr RIPPER: I seek an assurance from the Minister that he will use his powers under clause 77(b) to declare a school a local intake school for the purpose of the enrolment of children below compulsory school age and give local children enrolment priority at that school, should that school be under pressure for provision of places in those years.

Mr BARNETT: This clause allows that to be done. Practicalities suggest that if a school were declared a local intake school, it would show up most in the early childhood years and extend to preprimary years.

Clause put and passed.

Clause 78: Enrolment of school-aged children at local-intake school -

Mr BARNETT: I move -

Page 57, line 1 - To delete the line and substitute the following headnote -

Enrolment of children of compulsory school age at local-intake school

The purpose of this amendment is to make it consistent with clause 79.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 79: Enrolment of children of compulsory school age at other schools -

Mr RIPPER: The Opposition has reservations about clause 79 because it will apply, under the Minister's own advice to the Committee, to the majority of children enrolling at government schools in Western Australia. Most of those schools will not be local intake schools and, therefore, will enrol children under the enrolment priorities in clause 79, which do not provide any priority for a parent who wishes to enrol his or her child at a local school. The Opposition has reservations about clause 79 because it does not think it is the right clause to apply to the majority of government schools.

Clause put and passed.

Clause 80: Enrolment of children in post-compulsory education period -

Mr RIPPER: This clause raises the same issues with regard to post-compulsory education as clause 77 raises with regard to preschool and kindergarten education. Again, this clause does not provide any priority for local people to enrol their children at the local school if they seek to enrol in the post-compulsory education period. The only possibility is that local priority might be accorded if the Government chose to exercise its powers under clause 80(b) which states -

> the enrolment would conform with other criteria prescribed by the regulations for the purposes of this section.

If enrolment pressure is placed on years 11 and 12 at a government high school and local children find it difficult to get places, will the Minister use powers under clause 80(b) to give enrolment priority to those local children?

Mr BARNETT: In theory we could have local intake boundaries for those years, but it is far less likely that pressure will be placed on them. The pressure is more likely to be on primary or preprimary non-compulsory years. At this post- compulsory stage, choice will be most important and most widely exercised. With the advent of middle schools, senior colleges and the like we will see dramatic demonstrations of choice. The issues will relate more to codes of conduct, behaviour of children, suitability of programs, attendance or truancy. As is already the case within government schools this provides for wide choices in programs and location.

Mr RIPPER: I do not disagree that the pressures for choice at this level are greater than at other levels of education. I am seeking to determine whether the Minister or the director general will take action if people are unable to make the choice to enrol at their local high school because it is very popular with people from outside the local area.

Mr BARNETT: It is very difficult to generalise. A student might be looking for a TEE program when a school offers a VET program, or vice versa. However, in a stylised situation of a typical senior high school running the same program as another, we could impose a local intake boundary. Schools will be so different and parents so selective in the choice of program and school that I do not think it will happen. In theory, if a decision were made it could be imposed.

Clause put and passed.

Clause 81 put and passed.

Progress reported.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 2)

Third Reading

MR BARNETT (Cottesloe - Leader of the House) [9.14 pm]: I move -

> That the Bill be now read a third time.

MR BROWN (Bassendean) [9.15 pm]: This Bill deals with the capital items contained in the Budget. I have a number of observations about the capital expenditure in this Budget, and the schedule in this Bill indicates exactly what is proposed. Given that we do not normally go into Committee on this Bill I will refer specifically to it.

In schedule 1 of this Bill item 122 lists commerce and trade administrative transactions to the amount of $18m. The $18m is referred to at page 206 of the budget papers under the heading of administrative transactions and relates to two items under the Jervoise Bay infrastructure project. An amount of $8m has been allocated to the southern precinct and $10m has been allocated to Cockburn Road.

I understand from comments made in the Estimates Committee hearings that these two amounts are moneys to be provided from the Federal Government to assist with the large infrastructure project at Jervoise Bay. This project is supported by the Opposition because it sees a great opportunity to participate in the future development of the oil and gas industry in this State, particularly in the manufacture of platforms needed for the oil and gas industry. The Opposition thinks the allocation of funds for this project is timely, given the expenditure we are likely to see in the oil and gas industry.

Recently a number of Opposition members attended a briefing by Gorgon, the second proposal for a gas industry in the north of the State, which proposes to tap into the gasfields and run a pipeline to the shore near the Woodside operation.

According to the proponents, in its initial stages the Gorgon development will be an $8b project. Of that $8b, in the order of $4b or $5b will be spent in the first five years of the project to build the platforms, do the drilling and put

the infrastructure in place. Without the Jervoise Bay facilities Western Australia would be inhibited in any participation in the development of that infrastructure.

The development will involve thousands of jobs, most of which are highly skilled. If Western Australia can prove it is capable of producing for large projects like Gorgon, as other oil and gas projects commence more work will flow to Western Australian industry.

It has been clear for a considerable time that industry will not fund that infrastructure because it is common to and will be used by all companies and bidders in that process. This money is not being allocated to a particular company or enterprise but rather put into infrastructure development. We see it as having positive effects on employment and the skilling of the work force. The Chamber of Commerce and Industry and other groups have long supported it. The amalgamated manufacturing workers union has also been advocating this type of project for a considerable number of years. It is something in the Budget Statements that we can support.

I refer also to the allocation for capital funding in the Education Department. I wish to raise a number of local matters, which I intend to pursue in the Parliament on behalf of my electorate. They concern capital items needed in local schools. It is perhaps unfortunate that neither the Minister for Education nor the Parliamentary Secretary is here at the moment, but so that they do not miss out on the eloquence of this speech, I will send them a copy afterwards, together with a request that they consider what I am about to say.

It has been brought to my attention that the Bassendean Primary School, as a result of demographic changes, is significantly under-resourced in buildings. The school needs a new utility room, a new classroom and a new staffroom. We have the unfortunate situation of small groups of students needing to use for educational opportunities facilities that currently are being used for staff; likewise, some art students currently are using the outside veranda to receive tuition. A lot of young families are moving into the area, which is quite convenient to the city. A lot of the older houses in the area are being demolished and units constructed in their place, which are attracting younger families, and many of the larger blocks in the area are being made into battleaxe blocks with houses and units placed at the back of the blocks, which are quite an attractive proposition for young families. The outlook for school numbers and enrolments is positive, although it is a well established area. Of course, that imposes stress on the school and its facilities. There is a need, which I hope will be provided for through the capital items allocated in the Budget, to allocate money to that school to ensure that those types of facilities can be provided. Unlike some of the other suburbs where there has been a dwindling of school enrolments, one cannot say that about the Bassendean electorate. Most of the high schools and primary schools in that electorate have either very healthy stable enrolments or growing enrolments. Therefore, it is inappropriate to believe that the local area planning arrangements, as they are affectionately known - otherwise known as the school closure arrangements - will overcome the types of problems that are being experienced by Bassendean schools and other schools that I will mention.

I hope the replacement of asbestos school roofs is addressed in the capital expenditure items. In my former electorate of Morley two schools were built at the same time. They were the Noranda Primary School and the East Beechboro Primary School. The schools are of a similar type and both have asbestos roofs. Both school communities campaigned to have the roofs replaced. An electoral redistribution caused the school in Noranda to move from the electorate of Morley to the electorate of Ballajura, and the East Beechboro Primary School to move from the electorate of Morley to Swan Hills. Here we have two identical schools, both of which have been standing for the same time and both of which have roofs of similar condition. However, the distinguishing feature is that after the electoral commissioners changed the boundaries, one school was placed in the electorate of Ballajura and the other in the electorate of Swan Hills.

It will not surprise many people to learn that the Government moved to replace the roofs on the Noranda school. I am assured that it has nothing to do with the fact that the school is in a highly marginal electorate. The East Beechboro school, which was placed in an electorate which was considered to be a reasonably safe Labor seat, is now placed in an electorate which is considered reasonably safe for the coalition. That school has not been so fortunate and its asbestos roofs still remain. Many parents of children at the latter school ask me what is the criterion for having school roofs replaced. They ask whether there is a central criterion and how it operates. Is it dependent on whether a school falls within a marginal or safe electorate? It certainly appears to them that that is the relevant criterion and there is no criterion other than that when one looks at it objectively. I am not able to convey to them the criterion the Government used to make its decision, other than to assure them that at every opportunity that arises I will raise this matter in the Parliament. Although that school is no longer in my electorate, I have a very close association with the school and the parents and citizens association and the people who live in East Beechboro. I will continue to advocate on their behalf to have that matter attended to as soon as possible.

I hope that funds are provided in this Budget to improve Hampton Senior High School. When one walks around that high school, one can see some obvious changes that need to be made with capital expenditure. Very little has been spent on the school over the past three to four years, or even longer. We can see that the school is suffering because

of that. When I was at the school some time ago, I noted that the students' lockers left something to be desired. A number of facilities that the school currently is lacking need to be provided.

I hope that by raising these matters today they will be noted. I intend to continue to raise these matters at every opportunity. As I have commented to some people, the Parliamentary Secretary once mentioned to me that he thought he had heard a speech of mine once or twice before dealing with the same issues. I will assure the Parliamentary Secretary when I send him a copy of this speech that he will also hear this speech on many occasions until such time as the Government understands that these matters need to be attended to. I hope that out of this Budget of approximately $89m for capital works a very small amount is allocated to schools in my electorate.

If there are 57 electorates in the State, 57 divided by $89m would be about $1.5m per electorate. I would be happy if we got $500 000 in my electorate so long as it was not overlooked again. We did very poorly last year. I hope this year the Minister will give due consideration to the needs of the Bassendean electorate.

DR EDWARDS (Maylands) [9.30 pm]: I will take this opportunity to make some comments about the capital budget statements for the Western Australian Land Authority and to concentrate on some of LandCorp's activities. The authority has been allocated around $19m for the development of residential land. As members will be aware, LandCorp has been involved for some years in a joint venture with Octennial Holdings to develop land at Minim Cove, Mosman Park. The clean up of the contaminated site has now taken place, and plans for the residential side of the development are with the Ministry for Planning. I want to raise some concerns about those plans in the context that money from this Budget is being used for that development.

The first concern is about foreshore access. The plans do not provide for ready foreshore access for people who want to enjoy the river and the view at that site, or for other residents who live nearby. It is an important issue. The Swan River Trust's annual report of about a year ago raised this problem of public access to our foreshores being cut off by development along the river and said that stricter planning control was needed so that people in Perth could continue to have access to the river. I am concerned that the plans of LandCorp indicate that a road will be built along the edge of that site. Houses will be built along that road, and people's back or front yards, depending on the orientation of their houses, will be out to the river, but the general public will not have much access to the river at that site.

This is an important issue for people who live at Rocky Bay, which houses a number of people with disabilities, many of whom are confined to wheelchairs. It is important that they have access to the river, but the plans indicate that it will be very difficult for them to get to the river, and also that because of the slope of the road and the fact that the view shed is not good, their ability to view this part of the river will also be restricted.

An additional concern is that LandCorp is proposing to put roads and services over the containment cell which now will be capped. The Department of Environmental Protection has in the past raised concerns with the planning commission that this should not be allowed to take place. Obviously, material which is very contaminated will be buried in the containment cell, and the cap will be placed over the top to protect people by making sure that the material does not leak out of the cell. The Department of Environmental Protection was so concerned that it wrote to the planning commission and drew to its attention that an environmental condition had been given to LandCorp for this development that provided that it must do the clean up properly and to the satisfaction of the Environmental Protection Authority before it proceeded with other parts of that development. It was particularly concerned that the subdivision plan would allow a road reserve to be built over part of the containment cell.

The planning commission forwarded that letter to LandCorp, and LandCorp's response to the Department of Environmental Protection was that not only would it be a road reserve, but also it was planning to landscape the surface area over the containment cell and to have sealed surfaces such as car parks. That raises the concern that if there was a problem inside the containment cell, that would not be obvious because of this surface over the top, and it would also be difficult to do tests through it, and the only time we would know that there was a problem was if the car park started to subside a bit.

LandCorp also made an interesting comment that the final land use over the top of the containment cell had been discussed with the ministerial technical review committee. However, I have been contacted by a person who was on that committee, who said that while it was discussed, the committee did not validate the idea of roads being built over the containment pit. Money from this Budget will be used for a purpose that the Department of Environmental Protection has questioned, and that generally does not make a lot of sense. If waste is to be buried that is very dangerous and is similar to the waste that the Swan River Trust has been told it must remove from the foreshore and put in a special landfill facility that has yet to be developed, we need to take great care about what is built over the top of it.

One final issue with this aspect of the Budget is the concern that LandCorp may not notify the people who eventually

buy into that area about the history of the site. We do not yet have contaminated sites legislation; therefore, LandCorp has no obligation to put any memorials on the title to say that the site is contaminated, nor to warn people about some of the activities that they may not be able to conduct on that site. For instance, ground water at that site will need to be monitored very carefully, and in an ideal world people would be banned from using the ground water at that site because some of it might be contaminated. However, LandCorp is saying that people should be well aware of the history of that site because of the attention it has received in the past, and that this is a Water and Rivers Commission and Water Corporation responsibility, and it has no further responsibility to discharge in this regard.

I have raised the issue of LandCorp's development at this site on a number of occasions, and I will continue to raise it until I am sure that all of the concerns of the community are satisfied.

I turn now to the capital budget statement for the Department of Conservation and Land Management. In CALM's budget, a large sum of money is set aside each year for both new roads through the hardwood forest and other access roads. I am concerned about these roads and about the timing with which CALM installs them. During the last break, I visited Northcliffe, and one of the places to which I was taken was a forest coupe, which until recently had been used by the local tourism association as a mountain bike trail. This mountain bike trail is very important to the local economy. Every year, state mountain bike trials or competitions are held, which attract about 100 contestants to the local community, in addition to their families and support workers. That brings quite a lot of revenue to the town.

The local tourism association has had use of this track, with the blessing of CALM, although it knew that ultimately the forest block would be logged. However, this year, two weeks before the State competition was due to take place, CALM said it was about to log the area and put through huge roads. The roads that it put through completely decimated part of the trail and wrecked other parts of the trail, because as drivers came out of the trail, they immediately came onto this extremely wide logging road, which defeated the purpose of the tiny winding tracks on which they would normally compete. The locals were furious, quite rightly, because CALM gave them no notice, and it did that very close to the competition that had been planned since the previous competition last year. The local residents then had to rush around madly to find another area that would be suitable and had to install a new trail within a fortnight.

Fortunately, some new people had moved in to establish a caravan park, and I commend the owners of the caravan park, which is called the Round Tuit - which is some sort of play on words - who said that their land could be used for this trail and who helped to build the trail in two weeks. I hope that in future when CALM does those road building activities it gives local people who are affected a bit more notice so that events that are very important to the local economy of the town are not put out to the extent that they were in Northcliffe.

While I was in Northcliffe I was also taken to the Dombakup forest block. Again, CALM has constructed extensive roads. One must question the cost effectiveness of the roads. They are constructed by contractors and the Budget includes a $700 000 allocation each year. Given the size of the roads, their isolation and the equipment required, one wonders how much they cost CALM. The area concerned does not contain many big trees, so presumably much of the timber will be woodchipped. Again, that does not result in a huge return to CALM. We must question the way that CALM is going about its road building.

I refer members to the $9m in the Budget this year for the new nursery complex at Manjimup. When I asked the Minister for the Environment for more information about this issue I was told that it would be provided as supplementary information. That information still has not arrived on my desk although other Ministers have been able to provide supplementary information.

I refer members to the money set aside for the acquisition of land for conservation purposes. The allocation this year is down to $200 000. As members know, this is the Department of Conservation and Land Management and an important part of its activities is the acquisition of land of conservation value, but $200 000 will not acquire very much land. I hope the allocation will be increased in future Budgets so that CALM has a better and wider conservation estate to manage.

MS ANWYL (Kalgoorlie) [9.43 pm]: I was surprised to see that the Bill refers not only to bricks and mortar and hardware but also to a broader range of capital purchases, including planning studies. I will refer to that later.

The mayor of the City of Kalgoorlie-Boulder, Mr Ron Yuryevich, gave the Budget a mark of three out of 10 as it relates to Kalgoorlie-Boulder. That is not a high mark. If our children were to bring home a report card with a mark of three out of 10 we would be asking what was wrong. The mayor is not known for his bias towards the Opposition on these issues, so that is a telling comment.

The Goldfields-Esperance Development Commission receives a very significant budget of $1.5m. Interestingly, $260 000 of that is moneys to be appropriated from the consolidated fund. Two major ticket items are included: First, planning studies for the development of the Mingarwee heavy industry estate costing $100 000 and, second,

the development of an intermodal freight facility involving $150 000 for planning studies. Planning studies might be a euphemism for consultants' fees. In any event, I will look with some interest at how those dollars are spent. They are significant amounts.

Each of the projects has huge significance to economic development in the goldfields. In my maiden speech in this place I referred to the need to develop these projects. The residents in my electorate agree that we must look at alternatives to the mining industry to ensure the long term viability of the City of Kalgoorlie-Boulder and its importance as the regional centre. I do not subscribe to the boom or bust mentality but, if Kalgoorlie-Boulder is to have a long term economic and social future, it would be useful to develop a range of alternative economic returns and opportunities for employment.

The Goldfields-Esperance Development Commission has identified the changing nature of the mining industry work force. We have seen an increased number of fly in, fly out operations. Of course, obvious economic stresses are placed on the provision of infrastructure within a town when workers are in town for only some weeks of the month. They will draw from the city but may not be contributing huge amounts in return.

One of the most glaring problems with the budget papers is the failure to provide funds for the upgrade of the Eastern Goldfields Regional Prison. Prisons are not a popular subject in this place; we generally hear about them when something has gone wrong. Nevertheless, this prison provides a very important resource. I have a great interest in rehabilitation of prisoners. I would like to see a reduction in the recidivism rate. It is important that the prison be flexible in catering for prisoners. Goldfields prisoners should have the opportunity to serve their sentences in their own territory. That allows for family support and the opportunity to build up training, education and employment links in the goldfields given that that is where they will probably live after being released. The Attorney General announced that funding would be made available, but a very small amount is being spent. Some minor upgrading is being undertaken with the installation of communication devices in each cell and in the observation cells. We expected to have an extra 52 beds at the prison but that has not occurred and no-one has given a cogent explanation.

When visiting the prison last week I was concerned to note that the maximum security prisoners are locked in a very small area for 24 hours a day and 11 out of 13 cells have no power points. Prisoners are bedding down in the two cells that have power points to get some relief from the monotony with a television. That is not good for rehabilitation. I hope the Attorney General is made aware of my remarks. Perhaps I will follow the member for Bassendean's example and post him a copy of them with some questions.

I have said many times that I appreciate and welcome the major announcement of $12m funding for the upgrade of the Eastern Goldfields Senior High School and the development of a senior campus. I presume it is still to be a senior campus. I read in the local newspaper today that a meeting is to be held tonight and one of the issues to be discussed is the classes that will be housed in the new facility. My understanding is that the senior campus was to include years 11 and 12. Unfortunately, I have not been able to attend any meetings discussing this issue as a result of my parliamentary commitments.

Mr Barnett: Some argue that it should be years 10, 11 and 12. Yes, it is a senior campus.

Ms ANWYL: Does the Minister have a preferred position?

Mr Barnett: I think it is educationally determined. I have always thought in terms of years 11 and 12. Arguments are mounted about years 10, 11 and 12 being in the senior college, and the middle school housing years 7, 8 and 9.

Ms ANWYL: Some concern is expressed that the inclusion of year 10 in the campus may signal a downgrade of year 10 facilities in further outlying areas.

Mr Barnett: I would prefer years 11 and 12. However, as the cohort of old schools go through the system, it might progressively change, but it might be 10 years away.

Ms ANWYL: That process is progressing, and I hope to attend a meeting to determine the preferred option of the community.

Some of the other infrastructure needs were raised recently when the Minister for Works and Services travelled to Kalgoorlie-Boulder to preside over the CD-ROM presentation of the Treasurer's budget speech. The issue of the Country High School Hostels Authority was raised, and the lack of a government-funded facility in Kalgoorlie-Boulder. That will be an ongoing issue. With the upgrading of the existing high school, it is reasonable for my electorate and the goldfields area generally to expect some upgraded accommodation, rather than relying on the Isolated Children's Hostel, which is a private organisation which has no sponsorship. It is a good service, but struggles yearly to attract sufficient funds.

Some other major issues are associated with the planning of future subdivisions in Kalgoorlie-Boulder. O'Connor

and Hannans are two of the newest suburbs in my electorate. Subject to some other issues being resolved, further developments will occur in each of those suburbs. Currently, each of the local primary schools has been filled to capacity and a number of transportables are located at O'Connor. At some stage in the local area planning process some priority must be given to how we cope with the increasing number of primary school students in the area. Regard should be given to the availability of full time preprimary places for everybody who wants them by 2000. The four-year-old program will apply in every case in the primary school campuses as well.

Some of the older schools have significant problems associated with the age of the school buildings themselves and their inadequacy. South Kalgoorlie and Kalgoorlie Primary Schools have problems with blocks of classroom built with expanding accordion-type doors between them. Very little sound protection and no privacy is afforded between the rooms. Sometimes one must travel through sitting classrooms to reach other areas. Very small areas are provided for rest rooms, and so on. That is the major issue for those schools.

The South Kalgoorlie Primary School has a major need for an upgrade of the current administration are. Although some announcement has been made in relation to that, problems are associated with the sharing of areas. The Minister is aware of the need for a grassed area at Kalgoorlie Primary School, and I will shortly be in a position to present a petition to the Minister in that regard.

Another issue is the subject of a kind of demarcation dispute; namely, the provision of sufficient pick up and drop off points for students. Kalgoorlie-Boulder is heavily reliant on motor vehicle transport. Traffic is ever increasing as a result of developments occurring outside town. As the Minister will know, the work force at places like Murrin Murrin is huge, and we have an increasing population and many visitors to town, and some of the major thoroughfares, such as Lionel Street, can be choked with traffic. A public liability issue recently arose at South Kalgoorlie Primary School and the staff car park is no longer available as a pick up and set down point. That is a major issue which perhaps I should take up with the Minister's office. There appears to be handballing between various authorities regarding the funding source for the provision of an area for that purpose.

Mr Barnett: Usually, the department enters into a 50-50 arrangement with the local authority on those issues.

Mr Bloffwitch: Get the local council to talk to them first.

Ms ANWYL: We have been down that path, member for Geraldton, but a solution does not seem to be in sight. A roadwatch or safetywatch committee was formed. Relating to the Department of Transport, a serious situation arose recently where a crossing guard was hit by a vehicle. It is an ongoing situation, which is exacerbated by the lack of an appropriate pick up and drop off point.

Mr Bloffwitch: Our council usually puts in kind; that is, it does the bulldozing, clearing and gravel laying and offsets that as its contribution to the project. The Education Department usually puts in money -

Ms ANWYL: I thank the member for Geraldton, but I am in my last 30 seconds.

As always, if I had more time I would have raised a number of other matters, including Homeswest, the need to upgrade accommodation for parent and family support services, recreation services generally, and the ongoing need for a drug rehabilitation building to be made available, or at least the upgrading of Kalgoorlie Regional Hospital, for those purposes. Currently, Kalgoorlie Regional Hospital does not have a psychiatric ward and detoxification services are severely needed.

MR RIEBELING (Burrup) [9.56 pm]: I refer to the capital works allocation for the Justice portfolio, in which I have a special interest. A number of projects compete for the capital works expenditure for this large department. It is pleasing to see a number of allocations made in this Budget, but some of those missing are as important as those included.

An area of concern is the allocation of $300 000 for the Rockingham justice complex, which has been talked about for as long as I have been involved in courts. The Rockingham court complex, shortly after opening, became hopelessly inadequate for the expansion of the Rockingham area. For a decade or more the replacement of the Rockingham court and police station with a properly funded complex has been mooted. This Budget allocates $300 000 for the construction of the new $7.5m Rockingham justice centre. It appears that some $900 000 was spent on land purchase. The member for Rockingham would know that land and how appropriate it is for siting that complex. However, it will be at least another two years before we see the totally inadequate facility replaced at Rockingham.

Mr McGowan: It is appalling. Have you been there?

Mr RIEBELING: I have been there numerous times. In winter, the public waiting to access court must stand in the rain. There is virtually no other court in this State where the facilities for the public are so bad.

Mr Bloffwitch: How much has been given this year?

Mr RIEBELING: It is $300 000.

Mr Bloffwitch: That is probably $300 000 more than it had in the past.

Mr RIEBELING: That allocation is probably for drawings. It is not enough to build anything.

Mr Bloffwitch: No wonder nothing gets built, if it costs that much.

Mr RIEBELING: The project is worth $7.5m.

Mr Bloffwitch: Are you complaining about that?

Mr RIEBELING: No. I am not complaining. I am saying that this project should have been funded and it will be at least another two years before something constructive happens. Let us look at the magnificent courthouse in Geraldton.

Mr Bloffwitch: We have a very nice courthouse in Geraldton.

Mr RIEBELING: That is right, and it cost a lot more than $7.5m.

Mr Bloffwitch: It was only because of the local member that Geraldton got that courthouse!

Mr RIEBELING: That is right. That is an example of what can be done with a little imagination and the desire to do the right thing in relation to that court. The Geraldton court is located on a prime piece of real estate. When I worked in the Geraldton courthouse there was talk about whether it would remain a courthouse or whether the then Public Works Department would take over the building, and a new court complex be built. At the end of the day the correct decision was made.

Mr Bloffwitch: It is a lovely courthouse.

Mr RIEBELING: The complex has been done very well, I might add. If members get the chance, they should look at the Rockingham courthouse, to see the conditions that have been endured there. The only courthouse worse than that in Rockingham is the one in Busselton. In this budget item there is an allocation of $2.8m for the completion of the Busselton courthouse complex. I applaud that decision, which is long overdue. I am somewhat confused about the cost of this project. On page 630 it indicates that $2.8m will be allocated to the project. On page 633 it is said that the project total is $3.25m, of which $2.7m will be spent in this financial year. The difference of $50 000 is neither here nor there, but I am concerned that the extra $500 000 for the completion costs appears to be missing from the project. It may well be that the purchase of land, which I understood was not a problem, may be taken up by that additional $500 000. That amount does not appear in this document.

There is an allocation in the capital works program of $7.9m for the completion of phase one of the replacement of the offender management information system. That indicates to me that we will end up with very expensive computer equipment throughout the prison system and, probably, the court system. The allocation of nearly $8m for that project seems a staggering amount. I hope the Minister for Justice will be able to explain exactly why we must expend that sort of money on that project.

I am also somewhat disappointed, as I am sure the Minister for Health is, that there is no allocation for the courthouse in Albany. I visited it a couple of years ago. Last year during the debate on the appropriation Bills I raised the issue of capital works in relation to that courthouse. In fact, I have raised it in the past three years. Because of its age, the Albany courthouse is totally inappropriate for security reasons to operate as a court; the defendants are led past the magistrate's chambers on their way into and out of court. That would not be tolerated in Perth, and it should not be in Albany just because the building is old.

In Geraldton we saw how old buildings can be adapted to meet the needs of modern security and modern courts. It is time money was allocated to upgrade the Albany court, to indicate that people in Albany deserve similar treatment to those in other places throughout the State which have appropriate courthouse facilities. The Broome court is another which should be included in this list of projects. Some years ago a temporary court and emergency accommodation was constructed in the magnificent park in which the Broome courthouse is located. It was supposed to be there for a couple of years and then there was to be an allocation for the completion of permanent facilities to match the surroundings. That temporary facility is rapidly becoming a permanent one. It is time that this very picturesque court was restored to the tourist attraction it once was, and some money allocated to its replacement.

Another project included in the capital works program is the Fremantle justice complex. This project has been talked about for as long as I can recall. An allocation of $3.7m has been provided for this project in this coming financial year. I notice this allocation of close to $4m is about 25 per cent of the amount of $15.4m required for the entire

Fremantle justice centre. I do not know how many courts that involves, but for many years the workload of the Fremantle court has justified additional facilities. It is pleasing that some progress is being made along those lines.

I am advised by the member for Kalgoorlie that the court there was built in the early 1970s and must be reviewed as its capacity to deal with the workload that comes through it is inadequate. What used to be the Crown Law courts are now staffed by people within the Ministry of Justice who have experience. Almost every court in this State is experiencing an increase in workload and complexity in the matters appearing before it. The extra pressures are on not only the personnel, but also the court buildings. There are subtle changes to the way in which courts handle cases, such as the use of television monitors and screens, computers and interview rooms. In the Family Court there is a lot of counselling and attempts to solve disputes without their having to go into the court. In all regional areas, the registrars conduct pre-trial conferences in civil courts. That probably will be extended to criminal courts once the review of the Court of Petty Sessions and the Magistrate's Court is completed.

All those changes demand alterations to the physical structure of the court complexes and more money to be injected into that area as well as into the prison system. Quite recently we have witnessed a massive expansion in the desire of this Government to upgrade and expand the bed capacity of the prisons. That is done because the prison population is increasing. The prison population increases only when the court crime load increases. In law and order issues, the emphasis is always on the "order" part of the equation; not enough money is allocated to the courts and associated facilities to ensure that law also is part of the equation. It is time that the State Government and all those involved in the justice system seriously consider providing in the next Budgets for capital works programs, so the courts can adequately deal with their workload.

MR McGOWAN (Rockingham) [10.11 pm]: In my few comments on this Bill, I intend to concentrate on health and hospital construction in my electorate of Rockingham. In demographics terms, the electorate is an older area of Perth. Shoalwater, which is one suburb of my electorate, has the highest average age of residents of any suburb in Perth; it is at least 60 years. As a result, a great emphasis is placed on health services in the Rockingham area, in particular the services of the Rockingham-Kwinana District Hospital. A number of rumours have been circulating about the downgrading of services that may result from the opening of the Mandurah Health Campus; the fear has been expressed that it may result in a lot of services that are currently provided by the Rockingham-Kwinana District Hospital being moved to the Mandurah Health Campus. The rumours principally concentrate on surgery, physiotherapy, podiatry and a number of other core services that the hospital provides. If these services are transferred to the Mandurah Health Campus, the member for Peel and I will object strenuously. The population of Rockingham-Kwinana is more than 100 000, roughly double that of the Mandurah area, and it would be a great shame to move those services from our area. We are watching closely what might happen and we are keen to prevent any removal of services from our local hospital.

The other issue I will address is the crisis in waiting lists at the Rockingham-Kwinana District Hospital. This situation is not the fault of the hospital, the hospital administration or the staff. It is primarily a question of funding and it needs to be addressed. Surgeons at the hospital are allocated a number of operations that they can perform for the year. Once that number of operations is reached, they are not permitted to perform any more operations for the remainder of that financial year. I have correspondence from an orthopaedic surgeon who works at the hospital. He has detailed what this funding situation is doing to people living in our area. He has stated that for every orthopaedic surgery that he performs, another three people are added to the waiting list. He said to me yesterday that in some cases there is no prospect that hip replacements, knee replacements and general surgery relating to people's bones will be carried out. That means that a lot of people who have an expectation of at some stage going into surgery will never have their expectations met. People, particularly those on pensions and those unable to afford private health insurance, are basically living in a very uncomfortable state without having available to them the best medical treatment that can be provided.

The surgeon to whom I refer is Mr Peter Bath. He detailed some statistics of the waiting list. He said that approximately 5 000 people are on the Fremantle surgery waiting list, of whom 2 500 require orthopaedic surgery, which is a lot more than at Rockingham. He also indicated that at the Rockingham-Kwinana District Hospital, nine to 10 theatre sessions are unoccupied each week. A theatre session is half a day's surgery time. In relation to orthopaedics, Mr Bath said that his numbers ran out at the start of June. Essentially for the last month of the 1997-98 financial year, no orthopaedic surgery will be carried out at Rockingham-Kwinana District Hospital. Dr Hoffman is a gastroenterologist. His allocation of numbers ran out in February this year. No gastroenterology services have been performed for five months at the hospital. Dr Waters is a urologist. His allocated numbers also ran out at the start of this month. We see our theatres at the Rockingham-Kwinana District Hospital lying fallow and unused which, as any economist will tell us, is a waste of resources.

There are 220 local people, primarily elderly people, on the waiting list at the hospital. The yearly allocation is 75. Seventy-five operations were completed, and 220 people are now left on the waiting list. Every year it is estimated

that two or three people are added to the list for every operation being conducted. These lists will never be cleared. Some people will never receive the operations that they need.

It gets worse. I have copies of correspondence that Mr Bath sent. It states -

> Clearly this is a Gilbert and Sullivan or at least a Yes Minister situation. My left hand is told there is no money available and the theatre is to lie idle while the right hand is being offered money from another corner of the same purse simply to take the numbers off the recognised waiting lists from the major teaching hospitals.

The Health Department is transferring patients from Fremantle Hospital to Rockingham simply to take the numbers off the recognised waiting lists from the mainly teaching hospitals. People are being transferred from major teaching hospitals - in this case, Fremantle - to the Rockingham-Kwinana District Hospital to fudge the figures so the waiting lists on orthopaedic surgery appear more acceptable. The letter continues -

> I would be happy to take part in the transfer of long wait patients to non-teaching hospitals but am unable to do so while I still have 220 patients on the existing waiting list and am being prevented from operating.

The Health Department is attempting to move patients from one hospital to another to make the statistics look better at the major teaching hospitals, which is what most people concentrate on when examining the situation. The plan is to transfer patients to outer metropolitan hospitals to make the numbers look good. It is an incredible situation. Another letter from Mr Bath reads -

> I have apparently come to the end point of my inadequate allocation of Orthopaedic patients for this year and while I can agree to the previous arrangements, I find it difficult to accept that if my colleague has not reached his quota then those figures couldn't be switched over to me. I understand the cost saving measures.

A surgeon is saying that he has exhausted his numbers, but the Health Department is not prepared to transfer the numbers from another surgeon who has not exhausted his numbers, to the first surgeon. Mr Bath states further -

> I currently am putting on far more patients than can be taken off and have reached the same situation as we have at Fremantle whereby we are basically insolvent with respect to the ability to operate our way out of this waiting list mess.

It is incredible that even our doctors are now admitting that we have reached crisis point. According to the surgeon, the situation is insolvent. The Health Department is transferring people from one waiting list to another, to take the numbers from recognised waiting lists at major teaching hospitals to the outer metropolitan areas. At Rockingham, 220 patients are on the waiting list. Hundreds are added to the waiting lists, and only 75 patients are undergoing necessary operations each financial year. The health system is in crisis, and the statistics indicate that urgent action is necessary to rectify the situation.

Question put and passed.

Bill read a third time and transmitted to the Council.

House adjourned at 10.22 pm

QUESTIONS ON NOTICE

Answers to questions are as supplied by the relevant Minister's office.

SEWERAGE INFILL PROGRAM - EXPENDITURE

3136. Mr BROWN to the Minister for Water Resources:

(1) How much has been spent on the infill sewerage project since it commenced in 1993?

(2) What additional revenue has been gained through rates being adjusted as a consequence of sewerage being -

(a) made available;
(b) connected?

Dr HAMES replied:

(1) The Infill Sewerage Program commenced in the 1994/95 year.

1994/95	$60.7 million
1995/96	$75.8 million
1996/97	$78.4 million
1997/98	$75.0 million (estimated)
Total	$289.9 million

(2) (a) The Water Corporation levies sewerage charges on all properties following the completion of the infill sewer, and notice given to the owner of availability to connect. The approximate revenue gained is:

1994/95	$0.9 million
1995/96	$4.4 million
1996/97	$7.6 million
1997/98	$10.7 million
Total	$23.6 million

(b) Charges are applied once a sewer main is available and a connection can be made, regardless of whether the property is connected.

COMMONWEALTH REGIONAL TELECOMMUNICATIONS INFRASTRUCTURE FUND APPLICATIONS

3183. Mr GRAHAM to the Minister for Housing; Aboriginal Affairs; Water Resources:

(1) Has any organisation within the Minister's portfolio area made application to the Federal Government for grant funds made available under the Commonwealth Regional Telecommunications Infrastructure Fund?

(2) If yes to (1) above -

(a) for what purpose was the application made;

(b) which organisation made the application;

(c) how many applications were made;

(d) how much funding is each application seeking;

(e) what amount of state funding is committed to each application;

(f) which other State bodies are joint applicants;

(g) which other State bodies have an interest in each application;

(h) on what date was each application submitted;

(i) has the Minister sought discussion with the Federal Minister to support each application;

(j) which Federal members of Parliament have supported each application;

(k) will the Minister make a copy of each application available?

(3) If no to (1) above, why was no application made?

Dr HAMES replied:

(1) No.

(2) Not applicable.

(3) The agencies are not eligible for grants under the Commonwealth Regional Telecommunications Infrastructure Fund.

PARENT INFORMATION CENTRES - TRAINING FOR COORDINATORS AND VOLUNTEERS

3242. Dr CONSTABLE to the Minister for Family and Children's Services:

(1) With reference to question on notice No. 2653 of 1997 how does the Department of Family and Children's Services define an "experienced parent"?

(2) In relation to the training provided to co-ordinators of Parent Information Centres -

(a) who provides the training;

(b) how may hours of training are provided;

(c) what qualifications, skills and expertise do the trainers have;

(d) what materials, if any, are provided regarding child development, understanding families, understanding parenting, and communication skills;

(e) who wrote the materials and are they publicly available?

(3) In relation to the initial training provided to volunteers by co-ordinators of Parent Information Centres -

(a) how many hours of training are provided;

(b) what qualifications, skills and expertise do the trainers have;

(c) what materials, if any, are provided regarding child development, understanding families, understanding parenting, and communication skills;

(d) who wrote the materials and are they publicly available?

(4) In relation to the additional training provided as the need arises to volunteers -

(a) who will provide the additional training;

(b) how many hours of training will be provided;

(c) what qualifications, skills and expertise will the trainers have;

(d) what materials, if any, will be provided,

(e) who will write the materials and will they be publicly available?

Mrs PARKER replied:

(1) The term “experienced parent” is not formally defined by Family and Children’s Services but it is understood to mean an individual who has cared for children (for example; their own children, members of the extended family or children in foster care) in a long term live-in situation or an individual who has long term experience of working with children.

(2) (a) The Community Skills Training Centre, a unit of Family and Children’s Services, provides the training.

(b) 3 full days of training.

(c) A number of trainers are involved in the program all of whom have years of training experience and whose professional qualifications include Degrees in Social Work, Education, Social Science as well as Post Graduate qualifications in Human Resource Development and Education.

(d) As the essential selection criteria for the Parenting Information Centre Coordinators included

extensive knowledge of child development, behaviour management, parenting skills and styles and family issues, these areas were not emphasised in training. The training focused on skills associated customer service, public relations, managing volunteers and marketing but did also include some material on child development.

(e) The Community Skills Training Centre developed the training package and the material is available on request.

(3) (a) 3 full days of training.

(b) The Community Skills Training Centre developed a training package for use by Centre Coordinators to train volunteers. Although the backgrounds of Centre Coordinators varies all have been selected on their ability to train staff and volunteers.

(c) The training included modules on child development, parenting and understanding families with the use of case studies to heighten awareness. While some knowledge in these areas is essential it does not need to be comprehensive as the volunteers role in Parenting Information Centres is to access information for customers not provide counselling or advice. There was considerable emphasis in the training on the development of communication skills to ensure volunteers provided quality customer service.

(d) The Community Skills Training Centre developed the original training package, which is currently being reviewed, and it is publicly available.

(4) (a) Parenting Information Centre Volunteers can access all training available through the Community Skills Training Centre. Of particular relevance is the "Understanding Supporting Families" program which is nationally accredited. Also available are programs titled "Working with parents with children 0-9 years" and "Working with parents of adolescents".

(b) "Understanding Supporting Families" is an 8 day program while the "Working with parents with children 0-9" and "Working with parents of adolescents" are both 2 day programs.

(c) Refer answer (2)(c).

(d) A combination of workbooks and handouts are utilised in all the courses.

(e) The Community Skills Training Centre have developed the training programs and this information is publicly available.

POLICE SERVICE - DISCIPLINARY PROCESSES REVIEW

3261. Mrs ROBERTS to the Minister for Police:

(1) Following the Codd Report on Section 8 of the Police Act, will there be a review of the measures and processes used as part of Police Service disciplinary processes?

(2) If not, why not?

Mr DAY replied:

(1)-(2) The Report on the Suspension and Removal of Police Officers in Western Australia, completed by Mr Michael Codd in January 1998 recommended, inter alia, giving police officers who are subject to action under Section 8, the right to seek a review by an independent person to ensure procedural fairness and in accordance with administrative law principles. Cabinet has endorsed this recommendation. I have established an Implementation Group to assist in the proper and timely administrative implementation of the recommendations of the report. Members of the Implementation Group are:

Deidre Willmott	General Counsel, Ministry of the Premier and Cabinet
Robert Cock QC	Crown Counsel, Crown Solicitor's Office
Jack Mackaay	Assistant Commissioner, (Professional Standards) Western Australia Police Service
Graeme Castlehow	Inspector, (Legal Services Unit) Western Australia Police Service
Robin Moore	Legal Manager, Western Australian Police Union of Workers
Robert Reid	Chief of Staff, Office of the Minister for Police
Jim Thomson	Senior Legal Officer, Office of the Attorney General

The Group is close to concluding its deliberations.

GOVERNMENT DEPARTMENTS AND AGENCIES

Corporate Credit Card Allocation and Guidelines

3362. Mr RIPPER to the Minister representing the Minister for Transport:

(1) How many staff in the departments and agencies under the Minister's control have been allocated Corporate Credit Cards?

(2) Is there a policy in place to guide staff in the use of these credit cards?

(3) If yes to (2) above, where is this policy published?

(4) If no to (2) above, why not?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

Albany Port Authority

(1) Two.
(2) Yes.
(3) Accounting Manual.
(4) Not applicable.

Bunbury Port Authority

(1) Three.
(2) Yes.
(3) The Authority's Accounting Manual.
(4) Not applicable.

Geraldton Port Authority

(1) Six.
(2) Yes.
(3) In accordance with Government recommended use of credit cards policy and internally maintained at the Port.
(4) Not applicable.

Fremantle Port Authority

(1) 30.
(2) Yes.
(3) Internally within the Fremantle Port Authority.
(4) Not applicable.

Esperance Port Authority

(1) One credit card issued to Chief Executive Officer.
(2) Yes.
(3) All credit card expenses formally approved by the Board.
(4) Not applicable.

Port Hedland Port Authority

(1) Three.
(2) Yes.
(3) Port Hedland Port Authority Accounting and Administration Manual.
(4) Not applicable.

Westrail

(1) Seven.
(2) Yes.
(3) The policy is contained in a user's manual which is provided to all staff holding corporate credit cards.
(4) Not applicable.

Department of Transport

(1) 39 staff.
(2) Yes and necessary training is made available.
(3) Policies and Procedures are set out in a manual distributed throughout Transport.

(4) Not applicable.

Main Roads Western Australia

(1) 271.
(2) Yes.
(3) Main Roads "Corporate Credit Card Operation Guide".
(4) Not applicable.

Dampier Port Authority

(1) One.
(2) Yes.
(3) In accordance with the Financial Administration and Audit Act and Accounting Act.
(4) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES

Corporate Credit Card Monitoring

3384. Mr RIPPER to the Minister representing the Minister for Transport:

In relation to use of Corporate Credit Cards in departments and agencies under the control of the Minister -

(a) what type of monitoring mechanism is in place to ensure that policy regarding usage of these cards is being adhered to;

(b) what system is used to verify transactions; and

(c) is a register of issued and cancelled cards maintained in each department and agency?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

Albany Port Authority

(a) In accordance with the Financial Administration and Audit Act and Accounting Manual.

(b) Certification by Incurring and Certifying Officers and appropriate documentation.

(c) Only two cards issued by Albany Port Authority.

Bunbury Port Authority

(a) Internal Audit. All meal/accommodation must be supported by number of Bunbury Port Authority employees and others. All payments are vetted by the Board and all accounts are passed through the General Manager.

(b) Transaction advice.

(c) Yes.

Geraldton Port Authority

(a) Each employee is compelled to sign an authorisation statement that ensures use of the credit card is restricted for official purposes only.

(b) All transactions are verified by the Accounts Payable Officer as standard authorisation/checking procedures.

(c) A register is used for all new cards issued and cancelled cards withdrawn from the port.

Esperance Port Authority

(a) All credit card usage is subject to monthly scrutiny by the Esperance Port Authority Board.

(b) Transactions verified by Incurring Officer and Esperance Port Authority Finance Manager prior to monthly presentation of accounts to the Board.

(c) One only card issued by Esperance Port Authority.

Fremantle Port Authority

(a) Accounts presented for payment are independently monitored to ensure policy compliance.

(b) Transaction slips are available and matched, then expenditure is incurred in accordance with Treasurer's Instructions under the Financial Administration and Audit Act.

(c) Yes.

Port Hedland Port Authority

(a) Use of card policy monitored by internal audit and external audit by Auditor General.

(b) Authorised Incurring and Certifying Officers and normal accounts payable procedures in compliance with the Financial Administration and Audit Act.

(c) Yes.

Westrail

(a) Prior to payment, each account is checked to ensure that:

Purchases are in accordance with the purchasing authority assigned to the officer holding the credit card.
Credit limits have not been exceeded.
Accounts are certified for payment by authorised personnel.

(b) Purchasing slips are reconciled to bank statements prior to accounts being paid.

(c) Yes.

Department of Transport

(a) Monitoring by a nominated Controller and full incurring procedures in accordance with Treasury Instructions.

(b) Original documents supplied where applicable, or a signed substitute sales voucher incurred by signature.

(c) Yes.

Main Roads Western Australia

(a)-(b) Each transaction must have supporting documentation signed by the card holder verifying the amount charged and acknowledging receipt. All transactions are reviewed by a Supply Officer prior to payment and are incurred and certified for payment in accordance with the Treasurer's Instructions. Exception reports to monitor compliance are run on a regular basis from internal systems and from data supplied by suppliers.

(c) Yes.

Dampier Port Authority

(a) In accordance with the Financial Administration and Audit Act and Accounting Act.

(b) Certification by Incurring and Certifying Officers and appropriate documentation provided.

(c) Yes.

KELLERBERRIN-TAMMIN ROAD UPGRADING

3467. Mr BROWN to the Minister representing the Minister for Transport:

(1) Has the section of road between Kellerberrin and Tammin been upgraded in the last two years?

(2) Did the upgrading of the road require a second or temporary road to be built?

(3) Did the upgrading of the road require the existing road to be rebuilt?

(4) Given the cost of building a temporary road and reconstructing the existing road, was it not cheaper for the State to build a second road and/or create a dual carriageway?

(5) What additional (if any) costs would be involved in the construction of a dual carriageway?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) Yes.

(2) No.

(3) No. The existing formation was widened.

(4)-(5) Not applicable.

BICYCLE RACKS ON BUSES

3616. Mr PENDAL to the Minister representing the Minister for Transport:

(1) I refer to the issue of fitting bicycle racks to metropolitan buses which will allow greater mobility and integration in Perth's public transport system, is the Minister aware of efforts by some groups to have bicycle racks fitted to public buses in the Perth metropolitan area?

(2) Does Bikewest intend to implement a similar bike rack initiative for Perth's public transport?

(3) If so, what progress has, and is being made?

(4) If not, why not?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) Yes.

(2)-(4) Transport is reviewing the feasibility of the initiative, with regard to safety and licensing issues. The study is expected to be completed within the next two months.

JUDD STREET OVERPASS, KWINANA FREEWAY

3664. Mr PENDAL to the Minister representing the Minister for Transport:

(1) Is it correct that traffic heading on to Kwinana Freeway via the Judd Street overpass in South Perth was restricted on the evening of Sunday, 3 May 1998?

(2) Is it correct that signs warning of possible traffic disruption were erected in recent days?

(3) Is it correct that the signs were erected to allow a television commercial to be filmed on the overpass?

(4) Is it correct that in fact filming took place during a period extending from about 4.30 p.m. at least through to 6.10 p.m. causing major traffic congestion?

(5) On whose authority was the access on to the overpass restricted?

(6) On whose authority was a television commercial allowed to be made in circumstances which inconvenienced many motorists?

(7) Whose advertisement was being filmed?

(8) Will the Minister give an assurance that public thoroughfares will not be used for this purpose in future, especially areas of high traffic volumes which could easily lead to serious congestion?

(9) If not, why not?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1)-(2) Yes.

(3) No. The filming involved still photography for promotional purposes.

(4) The cars were photographed between 4.30pm and 6.30pm but did not cause major traffic congestion.

(5) Main Roads Western Australia.

(6) Main Roads Western Australia. This was not a television commercial. As stated above, the photography session did not cause major traffic congestion.

(7) Mercedes Benz. The photographs are for a pamphlet and brochure for a new model of Mercedes Benz car for promotion in Europe. Also costs associated with the event were met by Mercedes Benz.

(8)-(9) Each application will be considered on its own merits.

MAIN ROADS WA, STIRLING

3667. Mr RIEBELING to the Minister representing the Minister for Transport:

(1) Has the Minister received an offer from the Stirling City Council to spend $3.5 million on the upkeep of Main Roads Western Australia within the boundaries of the Stirling City Council?

(2) If yes to (1) above, was this offer linked to the construction of the Reid Highway between the Mitchell Freeway and Marmion Avenue?

(3) Will the Minister be accepting this offer, and if not, why not?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1)-(3) The City of Stirling has made an offer to contribute in kind to the cost of maintaining verges and medians on some State roads within its municipality in place of a direct funding contribution towards the construction of Reid Highway. I have written to Council declining this approach but have indicated that consideration would be given to advancing construction of Reid Highway between the Mitchell Freeway and Marmion Avenue if Council were prepared to contribute $3.5 million towards this major project.

COMMITTEES AND BOARDS

3670. Ms WARNOCK to the Minister representing the Minister for Racing and Gaming:

(1) What Boards, Committees or the life in each portfolio under the Minister's control provide a sitting fee, or other payment, to Board or Committee members?

(2) What is the name of each Board and Committee?

(3) What are the names of the members of each Board or Committee?

(4) How much is each member of the Board or Committee paid for their services?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:

(1)-(4)

Office of Racing, Gaming and Liquor

Agency	Member	Remuneration	
Betting Control Board	Barry Sargeant (Chair)*	Chair	Nil
	Roger J Hussey	Members	$3,700 pa
	Keith G Shimmon		
	Ross A Cooper		
	Richard J Hart		
	Robert (Bob) Jones		
	Kenneth G Norquay		
Gaming Commission of WA	Barry Sargeant (Chair) *	Chair	Nil
	Lloyd Stewart	Members	$6,800 pa
	Lynette Quinlivan		
	Keith Shimmon		
Liquor Licensing Court	Judge Rodney Greaves	Salaries & Allowances Tribunal District Court Judge Determination	
Racecourse Development Trust	Hon Tom McNeil (Chair)	Chair	$280 full day
	Russell B Twogood		$185 half day
	John Yovich	Members	$186 full day
	Robert (Bob) Jones		$123 half day
	Ian W Loxton		
	Ronald Seaton		
	Barry Sargeant *		

Racing Penalties Appeals Tribunal	Dan Mossenson (Chair) Panel Members: Pamela Hogan Patrick Hogan John Prior Lindsay Robbins Karen J Farley John M Healy Andrew Monisse Robert J Nash Steven L Pynt	Chair Members	$180 per hour $484 per day $250 half day
Totalisator Agency Board	Roger J Hussey (Chair) Raymond Walker Peter C Hawkins Reginald P Webb Ian A McFarlane Barry Sargeant * Maureen McDaniell	Chair Members	$21,500 pa $8,800 pa
WA Greyhound Racing Association Committee	J E (Ted) Karasek (Chair) Clive Nelthorpe Peter Thomas Robert M Golding Neal Albrey	Chair Deputy Chair Members	$11,800 pa $8,600 pa $5,400 pa

* Barry Sargeant is an ex officio member and is not paid a fee.

(1)-(4)

Lotteries Commission	Lloyd Stewart (Chairman) Frank Montgomery Anne Griffiths Jennifer Rogers Geoffrey Harris Deborah McGeoch	Chair Commissioners	$21,500 per annum (plus use of vehicle) $8,800 per annum

The Gordon Reid Foundation for Youth

Ms Anne Griffiths - Chairperson, Commissioner	Nil
Mr Mark Anderson	Nil
Mr Shawn Boyle	Nil
Ms Patricia Hargreaves	Nil
Ms Belinda Martin	$86 Sitting Fee
Mr Douglas Melville	Nil
Ms Giuseppa (Jo) Wilkie	Nil
Ms Kylie Wear	Nil
Mr Steve Hammond - Executive Officer (Lotteries Commission Staff)	Nil

Gordon Reid Foundation for Recreation for People with Disabilities

Mr Geoffrey Harris - Chairperson, Commissioner	Nil
Mrs Margaret Gilham	$86 Sitting Fee
Ms Sue Patman	$86 Sitting Fee
Ms Pam Abbotts	Nil
Ms Julie Millsteed	Nil
Ms Delphine Stanford - Executive Officer (Lotteries Commission Staff)	Nil

Gordon Reid Foundation for Access to the Performing Arts

Mrs Deborah McGeoch - Chairperson, Commissioner	Nil
Dr Geoffrey Gibbs	Nil
Ms Vivian Poulton	$86 Sitting Fee
Ms Heather Gee	$86 Sitting Fee
Mr Malcolm Hall	Nil
Mr Ron Banks	$86 Sitting Fee
Ms Nanette Williams	Nil
Mr Philip Fry - Executive Officer (Lotteries Commission Staff)	Nil

Gordon Reid Foundation for Conservation

Mr Frank Montgomery - Chairperson, Commissioner	Nil
Mr Neil Blake	$86 Sitting Fee
Mrs Jos Chatfield	$86 Sitting Fee
Mr Norman Halse	$86 Sitting Fee
Mr Ian Herford (Observer)	Nil
Dr Stephen Hopper	Nil
Ms Colma Keating	$86 Sitting Fee
Dr Maurice Mulcany	$86 Sitting Fee
Prof Harry Recher	Nil
Mrs Joanna Seabrook	$86 Sitting Fee
Dr Barry Wilson	$86 Sitting Fee
Mr Michael Sandford - Executive Officer (Lotteries Commission Staff)	Nil

NB Each Member who is not employed by a Government Agency or already receiving remuneration as a Board Member of the Lotteries Commission, is entitled to payment of an $86.00 sitting fee for half day meetings and $131 for full day meetings of the Gordon Reid Foundation. To date it has been found that meetings of the Gordon Reid Foundation have been completed within half a day.

TRANSPERTH BUSES' NUMBER PLATES

3675. Ms MacTIERNAN to the Minister representing the Minister for Transport:

(1) What is the reason for the Government removing State Government issue number plates on Transperth buses and replacing them with standard issue plates?

(2) What has been the cost of doing this?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) There is no program to replace State Government issue number plates on Transperth buses with standard issue plates. Over the past 18 months some number plates, due to visible deterioration of those plates through normal wear and tear, have been replaced following annual licensing inspections. In isolated cases, currently two at least, number plates have been stolen from buses. In this situation, new replacement number plates cannot be issued until such time as the stolen number plates have been accounted for. In these circumstances, standard number plates have been issued as an interim measure.

(2) The cost of replacement number plates is $12.50 each.

ALBANY HIGHWAY COMPLETION

3707. Dr GALLOP to the Minister representing the Minister for Transport:

What is the proposed timetable for the completion of the Albany Highway project from Leach Highway, Bentley to Oats Street, East Victoria Park?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

The project is programmed to be completed in 2007.

ALBANY HIGHWAY, ACCIDENTS

3708. Dr GALLOP to the Minister representing the Minister for Transport:

How many accidents have occurred on Albany Highway between John Street, Bentley and Leach Highway, Bentley in -

(a) 1993;
(b) 1994;
(c) 1995;
(d) 1996; and
(e) 1997?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

The reported crashes are:

(a) 37.
(b) 50.
(c) 56.
(d) 57.
(e) 48.

FIX THE ROADS CAMPAIGN FUNDING

3778. Mr BROWN to the Minister Representing the Minister for Transport:

(1) Have funds been allocated in the 1998-99 Budget to the Fix the Roads campaign?

(2) How much is being spent on the Fix the Roads campaign this financial year?

(3) Is the central thrust of the Fix the Roads campaign to put pressure on the Federal Government to provide additional funds for the State's road system?

(4) If not, what is the purpose of the campaign?

(5) Is the Minister aware that his colleague, the Minister for Health expressed the view in Parliament (*Hansard* page 891) that it would be ridiculous for the Government to spend dollars on an advertising campaign to pressure the Federal Government to give the State additional health funds?

(6) As a matter of policy, does the Minister share the view that it is a ridiculous idea to spend money on an advertising campaign designed to put pressure on the Federal Government to provide additional funds?

(7) If not, why not?

(8) Is the Minister aware if there is any Government policy on State Government advertising directed towards putting pressure on the Federal Government to provide additional funding to Western Australia?

(9) If so, does that policy support -

(a) the Fix the Roads campaign;
(b) the stated views of the Minister for Health?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) Yes.

(2) $371 000.00

(3)-(4) That is certainly the main thrust. Another thrust is to raise awareness of road investment needs and road related issues.

(5) Yes.

(6)-(7) These are totally different issues. The Fix Australia Fix The Roads campaign is targeting the $900 million collected directly from Western Australian road users each year via the Federal Government fuel excise, of which only $160 million is returned to roads in Western Australia. Our objective is to have more of these funds returned for road improvements.

(8)-(9) This is not State Government advertising. However, we support the Fix Australia Fix The Roads campaign, including advertising.

LOTTERIES COMMISSION GRANTS

3779. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

(1) When the Lotteries Commission makes a decision to grant a sum of money to a community organisation and that decision is endorsed by the Minister, does the Minister and/or the Lotteries Commission notify the Minister or Parliamentary Secretary whose portfolio covers the activities of that organisation that such a grant has been made?

(2) Exactly what are the arrangements between the Lotteries Commission, the Minister and his Ministerial colleagues regarding Ministers making presentations of Lottery Commission grants?

(3) Does the Minister and/or Lotteries Commission have a policy or practice of letting Ministers know when grants are made to community organisations to enable the Minister to get credit with that organisation and the community for the funds made available by the Commission?

(4) Are Ministers formally advised of grants made available by the Lotteries Commission so that they have an opportunity of presenting the grant funding to the recipient?

(5) What is the formal line of communication between the Lotteries Commission and Ministers other than the Minister for Racing and Gaming?

(6) Does the Lotteries Commission let Ministers, other than the Minister for Racing and Gaming, know when they have made a grant so that the Minister may elect to present the grant?

(7) Does the Minister for Racing and Gaming let his Ministerial colleagues know when grants have been made available through the Lotteries Commission so his Ministerial colleagues have the option of presenting that grant to the recipient organisation?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:

(1) Each month the Lotteries Commission makes an average of 200 different recommendations of funding to the Minister for Racing and Gaming. Of those, approximately 20 are chosen for notification to the relevant Minister or Member of Parliament.

(2) The practice of Ministers or members of Parliament making presentations from time to time of Lotteries Commission grants commenced under the previous Labor Government. I have continued this practice as Minister for Racing and Gaming for it is my belief that it is important for members of Parliament to demonstrate their support for community groups. Each month, along with the list of recommended grants for my approval, I am presented with a list of those grants which might be suitable for presentation by Ministers or members of Parliament. These are approved by me.

(3) See the response to (2) above. The purpose of this practice is for the relevant Minister or local member of Parliament to demonstrate their support for the group concerned, to gain an awareness of what is happening in their community, and to provide an opportunity for publicity which is of benefit to the Lotteries Commission as well as for the community organization concerned.

(4) See the response to (1). Only a small selection of grants each month is selected for presentation by Ministers or members of Parliament and Ministers are not advised of every grant relevant to their portfolio.

(5) There is no formal line of communication as such between the Lotteries Commission and Ministers other than by the Minister for Racing and Gaming. However, with my permission the Lotteries Commission has always written directly to the relevant Minister where appropriate.

(6) Ministers are only advised of relevant grants with my approval.

(7) See response to (4) and (6).

WESTRAIL'S GRAFFITI REPAIR PROGRAM

3788. Mr BROWN to the Minister Representing the Minister for Transport:

(1) What is the cost of repairing and/or replacing Westrail property damaged by graffiti?

(2) Does Westrail experience some problem with train windows being deliberately scratched and/or damaged?

(3) Does Westrail have a program for removing scratches from train windows and/or replacing such windows?

(4) If so, what is the program?

(5) If not, did Westrail have such a program?

(6) If so, when did that program -

(a) commence;
(b) cease?

(7) What was the cost or average cost of that program per year?

(8) Why was the program terminated?

(9) Is there any intention to reintroduce such a program?

(10) If not, why not?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) Approximately $300 000 per annum.

(2)-(3) Yes.

(4) Railcar windows are replaced when the following occurs:

(a) Scratched words are considered offensive.
(b) Scratching is extensive.
(c) Deep scratching causes the inner glass lamination to crack.

(5) Not applicable.

(6) (a) March 1993.
(b) The program has not ceased.

(7) The cost of replacing scratched glass is approximately $12 000 per annum.

(8)-(10) Not applicable.

TRANSFORM WA PROGRAM

3792. Mr BROWN to the Minister representing the Minister for Transport:

(1) Did the Minister issue a media statement on 13 April 1998 concerning the Government's Transform WA Program?

(2) What was the nature of the research that went into the development of the program?

(3) Did the Government confer with the community and/or those communities that are perceived to be -

(a) advantaged;
(b) disadvantaged;

by the program?

(4) If so, what was the nature of that consultation?

(5) Did the Government undertake an environment impact analysis of the program?

(6) If so, when?

(7) Did the Government thoroughly investigate alternative transport measures to those contained in the program?

(8) If so, when?

(9) What was the nature of the investigation?

(10) Did the Government consult with non-government organisations with expertise or experience in planning, transport and roads?

(11) If so, what non-government organisations did the Government confer with?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1)-(11) The transport initiatives and priorities under TransformWA were formulated as a result of public demands that have been made known to the Government through direct representation to myself, the Department of Transport and Main Roads Western Australia by interest groups, particularly industry, Local Government

and members of the community generally. Details of the TransformWA initiatives have been made public in a variety of ways including media statements by myself and the Premier. The program includes major public transport initiatives and road improvements, that will see heavy transport moved out of areas such as Armadale and public transport having priority routes. TransformWA goes a long way towards completing Perth's road network that has been planned and required for many years.

Roe Highway, which is an integral part of the long standing road plan for metropolitan Perth, will be extended to the Kwinana Freeway and to coastal facilities. It currently terminates at Welshpool Road and a vast amount of traffic uses a local road to the detriment of people who live along that road. One only has to use Roe, Tonkin and Reid Highways or Albany Highway in Armadale to see that major improvements are needed now. The extension of the Kwinana Freeway and associated work is something the Opposition when in Government had planned but never achieved. There is essentially only one new major road in the total TransformWA package, that is the new heavy haulage link between Brookton, Albany and South Western Highways. The remaining work entails improving and extending the existing and planned road network. Of course, in country Western Australia the many improvements will see industry prosper and local people and tourists having access to a much safer road system.

PORT HEDLAND HARBOUR COMPLEX

3817. Mr GRAHAM to the Minister representing the Minister for Transport:

(1) When does the Government intend to commence work on a new Harbour complex for Port Hedland?

(2) When will such a complex be completed?

(3) What is the cost of the complex?

(4) From which budget will the complex be funded?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) Development of the Port Hedland Harbour complex is included in the 10 year capital investment plan with a tentative start date of 1999/2000. However, commencement is dependent on Government funding being confirmed in the next budget period.

(2) The project would have a design/construct period of three years and hence completion would be three years after the commencement date.

(3) The project has a preliminary budget of $7.5 million.

(4) General Loan Fund.

TANAMI ROAD, HALLS CREEK

3818. Mr GRAHAM to the Minister representing the Minister for Transport:

(1) Does the 1998-99 budget include an allocation for work on the Tanami Road in the Halls Creek Shire?

(2) For what purpose is the allocation made?

(3) How much is the allocation?

(4) When will the budgeted work commence on the Tanami Road?

(5) When will budgeted work be completed on the Tanami Road?

(6) Is this funding part of the total estimated cost of $9,794,000 that it is proposed will be spent on the road?

(7) How much of that total estimated cost has been spent to date, including this allocation?

(8) What is the three year forward estimate for expenditure on the road?

(9) What is the source of the funds to be expended on the road?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1)-(9) The member will be pleased to know that an amount of $594 000.00, which includes a contribution of

$396 000.00 from the Shire of Halls Creek, has been allocated on Main Roads program in 1998/99 for gravel sheeting works on a 25 kilometre section of the Tanami Road at Ruby Plains, 60 kilometres south of Great Northern Highway. This work will be undertaken during September and October. Routine allocations for further formation and gravel sheeting works in succeeding years has not been finalised at this stage. In addition to routine allocations, the recently announced Transform WA program provides an amount of $10 million for major upgrading works between Halls Creek and Ruby Plains station commencing in 2002/03 and finishing in 2004/05. Every opportunity will be taken to advance this work.

PORT HEDLAND PORT AUTHORITY'S DIVIDEND

3819. Mr GRAHAM to the Minister representing the Minister for Transport:

(1) What was the dividend paid to the State Government by the Port Hedland Port Authority for the period ending 30 June-

(a) 1996-97; and
(b) 1997-98?

(2) What are the forward estimates of the dividend to be paid to the State Government by the Port Hedland Port Authority for the period ending 30 June -

(a) 1998-99;
(b) 1999-2000; and
(c) 2000-1?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) (a) $646 800.
(b) Estimate $356 000.

(2) (a) $329 000.
(b) $375 000.
(c) $143 000.

NORTHBRIDGE TUNNEL FILL

3820. Mr GRAHAM to the Minister representing the Minister for Transport:

(1) Where is the fill from the Northbridge tunnel being disposed of?

(2) How much fill is there to be removed from the Northbridge tunnel?

(3) What is the value of the fill?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) The contractor is responsible for the disposal of surplus fill and it is sold to various development sites according to market need.

(2) Internal excavation of the tunnel site will comprise approximately 350 000 cubic metres or 490 000 tonnes of fill.

(3) The value of the fill is not separately identified in the contract.

CARNARVON FASCINE DREDGING

3883. Mr BROWN to the Minister representing the Minister for Transport:

(1) How much money was allocated for dredging the fascine in Carnarvon?

(2) Did the Government enter into a contract for the dredging of the fascine?

(3) What was the contract price?

(4) Who was the contract with?

(5) Did the contract specify a date when the dredging had to be completed?

(6) If so, what is that date?

(7) How much has been paid to the contractor to date?

(8) Has the cost of the dredging work gone up since the initial contract was entered into?

(9) What is expected to be the cost of the dredging now?

(10) When will the dredging be completed?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) $3.1 million.

(2) Yes.

(3) $2 384 250.

(4) Dredgemasters WA Pty Ltd.

(5) No. The contract required the contractor to submit a program which was then to be agreed by the Principal.

(6) The agreed date for completion of the program was 30 June 1998.

(7) $1 145 000.

(8) Yes. The contract is subject to "rise and fall".

(9) The adjusted contract price is $2 723 000.

(10) June 1999. This date will match the anticipated timetable of the residential development.

EXMOUTH-PERTH AIR FARE

3887. Mr BROWN to the Minister representing the Minister for Transport:

(1) Is the Minister aware the cost of an air fare from Perth to Exmouth is $276.00 compared to the cost of an air fare from Exmouth to Perth at $324.00?

(2) Is the Minister aware of the reason for the price differentiation?

(3) If not, will the Minister make enquiries in this regard?

(4) If not, why not?

(5) What action does the Government intend to take to seek to reduce this differential?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) The fare between Exmouth and Perth is the same provided the class of ticket is the same and all conditions associated with the ticket are met.

(2)-(5) Not applicable.

LEARMONTH AIRPORT PASSENGER TERMINAL

3889. Mr BROWN to the Minister representing the Minister for Transport:

(1) What funds have been allocated in the -

(a) 1998-99 financial year; and
(b) forward estimates;

to upgrade the passenger terminal and surrounds at Learmonth Airport?

(2) What is the anticipated cost of the development?

(3) What amount will the Government contribute to this amount?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(1) None from the Transport portfolio.

(2) The Shire of Exmouth has recently revised its plans for the terminal building and I am advised that the cost is in the region of $4 million.

(3) No formal request has been made for Government financial assistance under the Regional Airport Development Scheme for the revised building at this time, although it is understood that a request is to be made.

TRANSPERTH FARES

3922. Mr PENDAL to the Minister representing the Minister for Transport:

I refer to the recently released document *Better Public Transport: Ten Year Plan for Transperth*, and specifically to page 49 relating to fares, which states that a study carried out in 1991 concluded that Transperth fares were well below optimum levels, and that subsidies were too high because of the then relatively low traffic congestion in Perth -

(a) how can relatively low traffic congestion mean that fares were set well below optimum levels;

(b) can it be inferred from this that as traffic congestion increases in Perth, public transport fares will decrease;

(c) if not, why not; and

(d) if yes to (b) above, why, despite increased traffic congestion in the same period have increases in Transperth fares resulted in the user contribution improving from 16 per cent of total expenditure in 1992-93 to 22 per cent in 1996-97 (p.49)?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(a) The study referred to was based on an economic pricing model to determine if the subsidy was justified in terms of the community benefits generated by public transport. The conclusion was based on the rationale that congestion implies that roads are underpriced. This means that motorists do not pay the full costs of road use (including social and environmental costs) and, therefore, public transport should also be underpriced (ie subsidised). However, as congestion was low at the time, road use was not significantly underpriced and there was little incentive for motorists to use public transport. Therefore, the public transport subsidy should have been lower at the time and, consequently, fares should have been higher.

(b) Not necessarily.

(c) If congestion increases, theoretically the public transport subsidy should increase, but only if the current subsidy is at an optimal level. The fact that the cost recovery rate from fares (ie the user contribution) is still well below international standards suggests that the current subsidy is not optimal.

(d) Not applicable.

TRANSPERTH FARES AND PATRONAGE

3923. Mr PENDAL to the Minister representing the Minister for Transport:

I refer to the recently released document *Better Public Transport: Ten Year Plan for Transperth*, and specifically to the table on page 49 which compares the cost recovery of public transport in Perth, other Australian cities and similar sized, public transport orientated cities overseas -

(a) for each of the cities in the table what is the patronage of their public transport system as measured in "passenger kilometres" and "the level of their public transport's share of the transport market";

(b) what is the average cost to patrons of the public transport services in each of the cities being compared in the table on page 49;

(c) in order to increase the cost recovery of Perth's public transport, what efforts have been made to increase patronage of public transport as opposed to increasing fares;

(d) what evidence shows that decreasing public transport fares increases patronage; and

(e) what evidence shows that increasing public transport fares decreases patronage?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

(a)-(b) Passenger kilometre information is not available. An estimate cannot be made without information on the average journey length which is not readily available. The available information for each city is provided below:

City	Year	Annual Passenger journeys (million)	Public transport share of travel to work	Fare for typical two-zone journey	
				standard	concession
Adelaide	1995-96	34.4	8.8%	$2.70	$1.30
Brisbane	1993-94	44.8	12.6%	$3.00	$1.50
Hannover	1995	140.2	na	na	na
Lyon	1995	210	na	na	na
Newcastle upon-Tyne	1995-96	81.2	na	na	na
New Orleans	1995	70.5	na	na	na
Portland	1995-96	49.3	na	na	na
Perth	1996-97	54.5	8.6%	$2.40	$1.10
Vancouver	1995-96	117.9	na	na	na
Zurich	1994	296	na	na	na

Note: Adelaide and Brisbane fares are for 1997-98 while Perth are for 1998-99. Fares on European public transport systems are typically higher than in Australia.

(c) The Metropolitan Transport Strategy was released in 1995 to promote a change, over time, from the existing transport system which is based on low-occupancy car use to a more balanced system in which public transport, cycling and walking will be used more often by more people. The aim is to increase the public transport share of transport market from the current 6% to 12.5% by 2029. Recently Better Public Transport: Ten-Year Plan for Transperth was released containing detailed proposals to significantly improve public transport services in Perth. Successful implementation of these proposals is expected to result, by 2007, in a 33% increase in the public transport share of the transport market, ie from 6% to 8%.

(d)-(e) Studies around the world have shown that the fare level is not a significant factor affecting the demand for public transport, that is demand is relatively inelastic in respect of the fare. A fare change of 10% would typically have a 2% impact on patronage. It is noteworthy that recent fare increases have not had any significant adverse impact on patronage. In the case of choice passengers, ie those who choose to use public transport instead of their car for particular trips, frequency of service and directness are more important considerations than the fare. Where captive passengers are concerned (ie those who do not have access to a car), a decrease in fares may lead to a somewhat greater demand but this depends on their general income level because the demand is not for transport per se.

EDUCATION SUPPLIES DEPOT, BELMONT

4033. Mr RIPPER to the Minister for Works:

(1) Has the depot formerly known as Education Supplies, apparently currently operated by Serco and located at 151 Esther Street, Belmont been sold or put up for sale?

(2) What arrangements will apply in future for the provision of education supplies to government schools in Western Australia?

Mr BOARD replied:

I am advised that:

(1) It is the Government's intention to sell Supply West as a going concern. Request for Proposals for the purchase of Supply West will be publicly called in July or August 1998. It should be noted that the property, 151 Esther Street, Belmont, is a leased premise.

(2) In the future Government schools will obtain their educational supplies from Supply West and other suppliers in accordance with the provisions of the State Supply Commission's purchasing policies. The Education Department, representing the interests of Western Australian government schools, is actively participating on the Steering Committee overseeing the sale of Supply West.

QUESTIONS WITHOUT NOTICE

WESTRAIL AND ALINTAGAS

Privatisation Mandate

1245. Dr GALLOP to the Premier:

Did the Premier seek a mandate at the last election to privatise Westrail and AlintaGas? If so, when and where did he give such a commitment to privatise those utilities?

Mr COURT replied:

The Government's policy on privatisation has been clear. That is, if an agency is to be privatised an announcement is made well in advance and we go through a proper process. There have been two major privatisations - BankWest and the gas pipeline. The Government made it clear some time ago that it wanted to move down the path of privatising Westrail. The Government may be considering privatising AlintaGas and Western Power and it will look at that proposal after the next election.

Dr Gallop: That is the point.

Mr COURT: The Leader of the Opposition says that we claim to have a mandate to sell Westrail. I would have thought that within a four year term of Government it would be good management to turn an organisation around to the point where it was saleable.

Dr Gallop: Is that how you look on government assets?

Ms MacTiernan: Why did you not mention that in your policy document?

Mr COURT: I would much rather have an asset that is saleable than one that is a huge drain on taxpayers' funds.

WESTERN POWER

Privatisation

1246. Dr GALLOP to the Premier:

Why is the Premier now saying that he will seek a mandate to privatise Western Power when no mandate was sought to privatise Westrail and AlintaGas? What is the difference?

Mr COURT replied:

The Government has taken a conservative approach to important assets such as Western Power. The reason we have not considered selling Western Power during those eight years is that, even though it has been attractive in the eastern States, and the market in WA for those utilities is good, Western Australia is in a different situation with its electricity generation and grid from that on the east coast. The east coast has the opportunity to develop a grid between South Australia, Victoria, New South Wales and Queensland. The efficiencies associated with that grid are considerable. If those grids are interlocking those States do not need to provide the normal reserve capacity. Those States can reach agreement to handle emergencies, peak load situations and the like. Our grid is very isolated. Until we are comfortable that we have not only enough generating capacity but also the introduction of some competition, we will not go down that path with this huge asset. Some people have accused us of being tardy in moving with Western Power. However, the Government has taken the proper approach: It has wanted to bed down matters like the new coal fired power station at Collie, and ensure that the project is properly completed and commissioned - it was a concern to hear of the difficulty that project has had in the last couple of days. For the reasons I just outlined, we have been very conservative in our approach with this major asset.

Dr Gallop: We want a bit more accountability, Premier. People need to know your position before elections so they can vote on it.

Mr COURT: We have told our position on major assets.

Ms MacTiernan: No, you have not!

The SPEAKER: Order!

Ms MacTiernan interjected.

The SPEAKER: Order! I formally call the member for Armadale to order for the first time.

INTERNET USE BY MINISTRY OF JUSTICE

1247. Mr BAKER to the Parliamentary Secretary to the Minister for Justice:

The Internet is used by many small businesses and professionals to provide advice on the range of their services, thus providing sound knowledge in various areas to the broader community. What is the nature and extent of the use by the Ministry of Justice of the Internet to provide information to the community about its functions, services and procedures?

Mrs van de KLASHORST replied:

I thank the member for some notice of this question, for which the Minister for Justice has provided the following reply. The Ministry of Justice has made a considerable commitment to the use of the Internet in its communication with the community. An innovative new web service was launched on 13 May during Law Week which revealed a new user-friendly approach by the Ministry of Justice, and the start of a new relationship with the public.

The ministry has one of the largest web sites in Western Australia with more than 650 pages of facts, figures and valuable information. The address of the service is www.justice.wa.gov.au.

Western Australians can expect to see an increasing focus on electronic service delivery with material instantly updated through access to the ministry's databases. Some court lists are already available online. Features of the service include births and deaths information; justices of the peace listings; a list of marriage celebrants; court lists; a virtual tour of courtrooms; enduring power of attorney documentation; support services for crime victims; and information on prisons and juvenile detention centres.

The site is easy to navigate with a glossary of terms to help the public understand the terminology and an extensive frequently asked questions facility. The service is designed so people need not know the structure of the ministry to find what they want. The Government's commitment to customer focus is underlined by the widespread provision for user feedback to the ministry.

EDUCATION

Local Area Education Planning Problems

1248. Mr RIPPER to the Minister for Education:

I refer to the Minister's local area education planning problems.

(1) Will the Minister call a halt to his admittedly flawed planning process until he has advised schools of his proposed modifications to the process?

(2) Why will the Minister not consult with parents about his proposed new options for schools slated for closure before he makes final decisions?

(3) Why must parents accept the closure of schools to get the educational improvements which the Minister admits the communities need and which it is the Government's responsibility to provide?

Mr BARNETT replied:

(1)-(3) I thank the member for some notice of this question. I have admitted publicly that the local area planning process has some defects - I do not deny that for a moment. The process has been ongoing since last September, and the limitations of the process in the way it was established have forced district directors to adopt a position earlier in the process than may have been needed; also, this has tended to limit debate on some different ideas.

However, I have met with parents in all the schools involved in the process, including schools in the electorate of the member for Belmont. Submissions have been proposed.

Mr Ripper: You will not tell them what are the options.

Mr BARNETT: They are being fairly widely publicly canvassed and have been canvassed during the entire process of consultation. At all times I have been open with the parents and schools concerned. I will not halt the process; it will conclude and decisions will be made. However, we will review the process before continuing with it in other areas. Wide consultation which occurred last week will continue this week and probably next week.

Is this not the typical weak Labor approach? Maybe there are good politics in its approach. The Opposition is trying to make this into a debate about closing schools. Will members opposite applaud the new schools built out of the process?

CONCESSIONAL FARES

1249. Mrs HOLMES to the Minister representing the Minister for Transport:

(1) When will the review of concessional fares, scheduled for completion last October, be finalised?

(2) On conclusion of the review, when will the Minister make a decision about the provision of concession fares to the carers of extremely disabled war veterans?

Mr OMODEI replied:

The Minister for Transport has provided the following response -

(1) The Department of Transport expects to have a draft report by the end of June 1998.

(2) The draft report will be discussed with all affected parties before a final decision is made about the eligibility of a group for concessional fares.

SECUREFORCE INTERNATIONAL

1250. Mrs ROBERTS to the Minister for Police:

I refer to the private security company, Secureforce International, which was hired to provide security service for Westrail.

(1) Has Secureforce International applied for and received an exemption from the ban of category C firearms to allow its agents to carry pump action shotguns on duty?

(2) Are agents working for Secureforce International allowed to carry pump action shotguns under any other arrangement with the Government?

Mr DAY replied:

I thank the member for some notice of this question.

(1)-(2) No. Some inquiries have been undertaken following media coverage indicating that perhaps pump action shotguns might have been possessed by that company. Initial inquiries indicate a photograph published recently in the *Sunday Times* was not a recent photograph. Police records indicate no category C firearms are owned by Secureforce International.

COLLIE POWER STATION FIRE

1251. Dr TURNBULL to the Minister for Energy:

As everyone is aware, a fire occurred last night at the new Collie Power Station.

(1) What was the cause and extent of the damage?

(2) What are the potential delays to the completion of the power station?

Mr BARNETT replied:

I thank the member for some notice of this question.

(1)-(2) As members will be aware, the fire at the new Collie power station occurred at about eight o'clock last night. It took approximately five hours to bring it under control. Obviously the equipment had to be handled sensitively during the management of the fire. It started in a 415 volt switch gear room and it destroyed the switch gear. Although that is not a major problem, the difficulty was that smoke and emissions from burning plastics and the like infiltrated the electrical switch gear and control systems of the power station. It will therefore be necessary to fully check all of that equipment, to clean it if necessary, and in some cases to replace it. It will take some time - perhaps a week - to assess the true extent to which that will be necessary. If there is a delay to the commissioning of the power station it will become clear at that stage. Any delay will depend critically on whether it is necessary to replace some of the electrical items. The cost of any fire damage is covered by the ABB-Itochu Consortium insurance policy.

GAS BUSES

1252. Ms MacTIERNAN to the Premier:

Last week when I asked the Premier to produce evidence that Mercedes-Benz Australia Pty Ltd had agreed to provide

electronic fuel injection, gas buses as part of the Department of Transport contract, he tabled a three sentence fax which had been written one and a half hours after he was given notice of this question.

(1) Was this the first written undertaking the Department of Transport had of the willingness of Mercedes-Benz to provide this technology?

(2) How did Mercedes-Benz come to be contracted to provide this technology when it did not form part of its tender?

(3) Will the Premier table all information provided by Mercedes-Benz on this technology?

Mr COURT replied:

(1)-(3) I am advised that Mercedes-Benz offered to provide electronic fuel injection, gas buses to the Department of Transport during contract negotiations held in May 1998. The facsimile dated 11 June 1998 from Mercedes-Benz was written confirmation of the offer, and was the first such written confirmation. This offer was made verbally by Mercedes-Benz Australia Pty Ltd after its appointment as the preferred tenderer. The offer of multipoint, electronic fuel injected gas by Mercedes-Benz was made in lieu of the tendered carburettor gas technology at no additional cost to Transport. Acceptance of variations providing benefit, at no added cost to Government, during contract negotiations are common practice in the public sector. Transport is currently awaiting receipt of detailed documentation about the technical aspects of the Mercedes-Benz multipoint, electronic fuel injected, gas engine. This gas engine has been extensively trialled over three years by Mercedes-Benz. I would have thought Mercedes-Benz would be able to provide us with the information on what is the best form of carburation. I am very pleased the member has taken such an interest in carburettors in buses.

ABROLHOS MARINE CONSERVATION AREAS

1253. Mr MASTERS to the Minister for Primary Industry:

(1) In light of criticism of Fisheries WA by the Conservation Council of Western Australia, what management body is to be put in place for the proposed marine conservation areas around the Abrolhos?

(2) What is the number and expertise of the current staff members, or staff proposed to be employed, who will have direct responsibility for management of this special marine and terrestrial ecosystem?

Mr HOUSE replied:

(1)-(2) The Abrolhos advisory committee was put in place by me about two years ago. That committee comprises representatives of the commercial and recreational fishing industries, tourism bodies, the conservation movement and environmental protection groups, and people from the Ministry for Planning, all the government authorities and other interested groups. These people have put forward a draft plan under which the Abrolhos area will operate in the future. I have told them that the Abrolhos must come under all the authorities that would apply on mainland Australia, in relation to waste disposal, policing, planning, and so on. That process is beginning to be put in place now. A number of people are involved, not only those from Fisheries WA, but also the other agencies that are cooperating and combining their efforts to make sure the Abrolhos area continues to maintain its uniqueness and that we protect all the good things about it, including the fact that it is a prime fishing area for both professional and recreational fishermen, while acknowledging the potential for tourism and other uses in the future.

METROPOLITAN REGION SCHEME AMENDMENT 987/33

1254. Dr EDWARDS to the Minister for Planning:

I refer to metropolitan region scheme amendment 987/33, north west districts, tabled last week.

(1) Why was this amendment sent back to the Western Australian Planning Commission in April?

(2) What was the response of the WAPC when it was referred back?

(3) Why did the Governor modify the amendment to delete the Yanchep proposal?

Mr KIERATH replied:

(1)-(3) The Governor makes the final decision on the planning process. However, the amendments go through the Cabinet process. It came up with advice from the Western Australian Planning Commission. It went to Cabinet. Cabinet decided to delete the Yanchep proposal. It then went to the Governor and he signed the order.

Dr Edwards: Did it go back to the WAPC?

Mr KIERATH: Yes.

DEPARTMENT OF LAND ADMINISTRATION

Land Administration Expertise

1255. Mr BAKER to the Minister for Lands:

(1) Has the Department of Land Administration received any accolades recently for its land administration expertise?

(2) If so, what is the nature and extent of these accolades?

Mr SHAVE replied:

I thank the member for some notice of this question.

(1) Yes, I am pleased to announce that the Department of Land Administration has received accolades concerning its land administration expertise.

(2) The member for Armadale will be pleased to hear that from an internationally competitive field, DOLA was selected by the World Bank and the Government of Vietnam to implement a land policy project valued at over $500 000. A team of one DOLA employee and three private sector employees will review Vietnam's land law and develop guidelines to assist in the implementation of economic changes related to the developing land market in Vietnam.

Furthermore, as part of the Asian Development Bank's modernisation of land administration project in Bangladesh, DOLA has been invited to participate in a national workshop, to assist in designing phase 3 of the project, which is valued at $1.25m. Again, the member for Armadale will be pleased to know that I spent some time in Bangladesh supporting that project.

Mr Court: That is what swung it.

Mr SHAVE: I am not sure that the member for Armadale would agree with the Premier.

AusAid and the Government of Sri Lanka have selected DOLA to undertake stage 1 of the implementation of the land titling and cadastral mapping project. This project will draft new legislation and guidelines to introduce a Torrens based system of land titling in Sri Lanka. The project is valued at $488 000 and will involve a team of two DOLA and two private sector employees.

Ms MacTiernan: Are you going to Sri Lanka? It is pretty dangerous over there.

Mr SHAVE: I got a wog in Bangladesh, so I am a little sceptical about Sri Lanka. I will not go on and on because the member for Armadale is suddenly getting a very fine understanding of what the Department of Land Administration is doing. However, it would be remiss of me if I did not also mention that an Australian consortium, which includes DOLA, has been selected by the Inter-American Bank to undertake a land titles re-engineering project valued at $435 000 for the Government of Trinidad and Tobago. I congratulate DOLA on its efforts.

OAKAJEE PROJECT

National Party Support

1256. Dr GALLOP to the Minister for Primary Industry:

As Deputy Leader of the National Party and the only representative of agrarian socialism who is with us today, as his leader is away, will the Minister tell me whether the National Party supports the establishment of a port and an industrial estate at Oakajee, north of Geraldton?

Mr HOUSE replied:

I am pleased and proud to represent the agrarian socialists in this place.

Dr Gallop: You could always come over to this side of the House.

Mr HOUSE: The problem I would have is that I would not know which faction to join. I understand that members opposite are so divided that they do not know which meeting to go to on a Tuesday morning. I understand that the member for Pilbara has been giving them a bit of trouble. He and I have a lot in common in that we both represent

productive people in this place, which is more than some others do. The Leader of the Opposition knows full well that this proposal has been the subject of a number of Cabinet discussions. The legislation has been passed through this Parliament. As a member of the National Party, along with my other Cabinet colleagues and members of this Parliament - and, I might say, members of the Opposition because they supported the legislation - I join with the Leader of the Opposition in supporting it.

BUS SERVICE

Canning Vale

1257. Mrs HOLMES to the Minister representing the Minister for Transport:

When will the bus service for Canning Vale be forthcoming which my constituents in Canning Vale requested?

Mr OMODEI replied:

The current route 885 city link service will be extended along Ranford Road to Canning Vale by no later than the end of December 1998.

MINISTERIAL STANDARDS

Premier's Responsibility

1258. Mr RIPPER to the Premier:

I refer to the Premier's responsibilities to uphold ministerial standards among his Ministers and Parliamentary Secretaries. Does the Premier believe the member for Murray-Wellington abused his position as a member of Parliament by using last month's police estimates committee hearing to ask questions about and criticise the conduct of police investigations which led to the gaoling of his brother and the laying of criminal charges against others?

Mr COURT replied:

I would have thought that any member of Parliament was able to ask questions in an estimates committee. Opposition members have been willing to use the Parliament to ask questions about things related to their members or families.

HAMMOND REPORT

1259. Mr BAKER to the Parliamentary Secretary representing the Minister for Justice:

I refer to the Hammond committee report recently tabled in this House dealing with sentencing, remissions and parole. Does the Government propose to implement any of its recommendations and, if so, when?

Mrs van de KLASHORST replied:

I thank the member for some notice of this question.

The review of remission and parole was asked to look at a number of issues including early release programs, minimum terms before parole eligibility, and truth in sentencing by reducing the rate of remission so that the time served by a prisoner was close to the approximate term imposed by the court. The committee was chaired by his Honour Judge Hammond and examined systems of remission and parole in other States and the United Kingdom, as well as submissions from the Chief Justice, the Chief Stipendiary Magistrate, the Parole Board, the Law Society and members of the public.

The committee members found this a larger and more difficult task than they imagined when they first embarked on it. They did a tremendous amount of work looking at the practical effects of changes of the law. The Government congratulates the committee on its enormous effort and I am sure its report will provide an excellent basis to respond to its recommendations.

In general, the Minister for Justice supports the recommendations of the report. However, at this time, neither the Minister nor the Government has adopted a final policy position. Public comment on the report is being sought and when that is received, further consideration will take place in order to develop a policy on the matters raised by the committee.

GOVERNMENT EMPLOYEES HOUSING AUTHORITY PROPERTY IN KUNUNURRA

1260. Ms MacTIERNAN to the Minister for Housing:

During the recent estimates committee hearings, the Chief Executive Officer of the Ministry of Fair Trading claimed he had been unable to get crucial documentation from the CEO of Homeswest to investigate allegedly improper real

estate dealings involving the disposal of Government Employees Housing Authority property in Kununurra and that he had to issue a formal demand for those documents.

(1) Is the Minister aware of this issue and can he assure the House that all documentation has now been provided to the Ministry of Fair Trading?

(2) If so, when was that provided?

(3) Can the Minister for Housing explain the conduct of his CEO?

Dr HAMES replied:

(1)-(3) No, I am not aware of the matters that have been raised. No representations have been put to me on this matter. If the member would like to put the question on notice, I will ensure that she receives a response.

CURRAMBINE TRAIN STATION CAR PARK

1261. Mr BAKER to the Minister representing the Minister for Transport:

The residents of Currambine have recently approached me seeking an upgrade of the security arrangements at the Currambine train station car park. Is such an upgrade proposed? If yes, what is the nature and extent of the proposed upgrade?

Mr OMODEI replied:

In December 1997, Westrail conducted a survey of park and ride passengers at Currambine which indicated that approximately 50 per cent of the car park users would use secured parking facilities at Currambine for a fee if such facilities were provided. Accordingly, it is proposed to secure approximately 50 per cent of the car parking area at Currambine railway station - the southernmost part - in a similar manner to the secure parking facilities at Warwick and Edgewater stations. The proposed secure parking facilities at Currambine will be operated by a private sector car park operator as at Warwick and Edgewater. The remainder of the car park - the northern part - will remain unsecured to provide free parking for park and ride passengers who do not wish to pay a fee to park their vehicles.

GOVERNMENT EMPLOYEES HOUSING AUTHORITY

Property Disposal

1262. Ms MacTIERNAN to the Minister for Fair Trading:

The Minister was present during the estimates committee hearings wherein his chief executive officer disclosed that he had been unable to obtain crucial documentation to investigate the allegedly improper real estate agent dealings involving the disposal of Government Employees Housing Authority property from the CEO of Homeswest and that he had to issue a formal demand for those documents. Has the Minister discussed this matter with the Minister for Housing, and if not, why not? What action does he propose to take to ensure that this serious allegation cannot continue to be thwarted by Homeswest?

Mr SHAVE replied:

The CEO indicated that he had some difficulty during the estimates committee hearings obtaining the information required. He has not raised the issue as a concern with me, either prior to that time or since that time.

Ms MacTiernan: Were you not concerned?

Mr SHAVE: I assume that he has the information he requires.

COMMUNITY FACILITIES GRANTS

1263. Mr BAKER to the Minister for Local Government:

Many of my constituents from local community groups often approach me seeking advice and assistance in applying for various state government grants, including the state government community facilities grants. Have there been any recent changes to the State Government's community facilities grants program?

Mr OMODEI replied:

The community facilities grants program provides capital funding for projects where local communities can demonstrate a need for financial assistance to help fund the cost of providing amenities. The program is aimed at providing funds to establish public toilets and nursing rooms, playgrounds, roadside rest areas, information signs and litter bins. The Department of Local Government recently called for submissions for the second funding round which

closes on 30 June, 1998. The maximum limit available per project has been increased from $20 000 to $25 000. The cost of establishing some facilities, such as disabled toilets, can be too high for many community groups and local governments to provide them in the short term. The Government is committed to meeting the need for these facilities and has responded accordingly.

BUDGET PAPERS

1264. Dr GALLOP to the Treasurer:

Does the Treasurer agree with the Minister for Transport's claim during a recent Legislative Council estimates committee hearing that this year's budget papers are misleading and lacking in financial transparency? Does the Treasurer also agree with the member for Geraldton's criticism that the Budget does not give members of Parliament enough information about where money is being spent? Given the attack on the budget presentation by government members, what action does he intend to take to improve next year's budget presentation?

Mr COURT replied:

If I did not know better, I would think the Opposition had run out of questions today.

Dr Gallop: Don't you think that is an important question?

Mr COURT: We have had about four questions on the estimates committee. We have had the debate; it was completed last week. We had the third reading and if the Opposition had wanted to raise these issues it could have done so at that time. I heard the member for Geraldton -

Mr Ripper: Did the Treasurer hear my comments?

Mr COURT: No. I heard the member for Geraldton's comments. The Leader of the Opposition has not mentioned the complimentary remarks the member for Geraldton made about the way the Government has presented the budgets. I am the first to admit that when major changes of this extent are made there will be difficulties associated with them in the first year, particularly when the changes relate to the measurement of outputs and the like. I am not aware of comments made in the other House. In answer to the Leader of the Opposition's question, I believe that we can always improve the format.

Mr Ripper: Does the Premier concede that this year's papers are much worse than those of previous years?

Mr COURT: Not at all. Quite the contrary. For the first time the Opposition has a clear understanding of how the different agencies are funding themselves. Previously it did not have that information.

Ms MacTiernan interjected.

Mr COURT: You did not read it.

The SPEAKER: I advise members that 20 questions were asked, including the supplementary.
