



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
THIRD SESSION
1999

LEGISLATIVE COUNCIL

Wednesday, 11 August 1999

Legislative Council

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THE PRESIDENT (Hon George Cash) took the Chair at 4.00 pm, and read prayers.

BILLS - ASSENT

Messages from the Governor, and the Lieutenant Governor and deputy of the Governor, received and read notifying assent to the following Bills -

1. Australia Acts (Request) Bill 1999.
2. Appropriation (Consolidated Fund) Bill (No 1) 1999.
3. Appropriation (Consolidated Fund) Bill (No 2) 1999.
4. Loan Bill 1999.
5. Year 2000 Information Disclosure Bill 1999.
6. Federal Courts (State Jurisdiction) Bill 1999.

NUCLEAR WASTE DUMP

Petition

Hon Giz Watson presented a petition, by delivery to the Clerk, from 2 061 persons opposed to the Pangea proposal to locate a high level nuclear waste dump in Western Australia.

[See paper No 80.]

URANIUM MINING INDUSTRY

Petition

Hon Giz Watson presented a petition, by delivery to the Clerk, from 142 persons opposing the proposal to establish a uranium mining industry in Western Australia.

[See paper No 81.]

PARLIAMENTARY SERVICES COMMITTEE

Membership Change

THE PRESIDENT (Hon George Cash): Order! I indicate that I have received a letter from Hon Norm Kelly advising of his resignation from the Parliamentary Services Committee.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [4.09 pm]: I move -

That Hon Giz Watson be appointed as a member of the Parliamentary Services Committee.

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [4.10 pm]: We have no reason to oppose this. Courtesies have not been maintained.

Hon N.F. Moore interjected.

Hon TOM STEPHENS: I would commend those practices to the Leader and to the House.

Question put and passed.

CRIMINAL CODE AMENDMENT BILL 1999

Restoration to Assembly Notice Paper

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [4.11 pm]: I move -

That a message be sent to the Assembly requesting that consideration of the following Bill be resumed -

Criminal Code Amendment Bill 1999.

This Bill originated in this House and at the end of the last sittings was in the Assembly. The Government's intention is that it be reinstated in the Assembly at the same stage it had reached in the previous session and be dealt with accordingly.

Question put and passed.

LAPSED BILLS - RESTORATION TO NOTICE PAPER

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [4.12 pm]: I move -

That the following Bills be restored to the Notice Paper at the stage they had reached in the previous session -

1. Crimes at Sea Bill 1999.

2. Sentencing Legislation Amendment and Repeal Bill 1999.
3. Statutes (Repeals and Minor Amendments) Bill 1999.
4. Sentencing Matrix Bill 1999.
5. Juries Amendment Bill 1998.
6. Acts Amendment (Sexuality Discrimination) Bill 1997.
7. Labour Relations Legislation Amendment Bill (No 2) 1997.
8. Constitution of Western Australia Bill 1997.
9. Electoral Amendment (Constitutional Provisions) Bill 1997.

Following the advice I provided to the House last year about restoration of legislation following prorogation, it is the policy of the Government that we seek to reinstate Bills to the Notice Paper which have made some progress in the previous session. We believe that Bills that originated in the Legislative Assembly and that have passed that House and reached this House, should be reinstated in this House for continuation of debate. Provided they have gone beyond a simple second reading speech, it is deemed appropriate to proceed with Bills that have been introduced into the Legislative Council at the stage which they reached during the previous session. A number of government and private Bills are in that category. My view is that the members in charge of those Bills should begin the process again and have those Bills addressed by the House as if they were new Bills in this session. The Bills I have asked to be restored to the Notice Paper have made some progress in this House. Some are private members' Bills and some are government Bills. I seek the support of the House for the proposition.

Question put and passed.

LAPSED BILLS - RESTORATION TO NOTICE PAPER

Assembly's Message

Message from the Assembly received and read requesting that consideration of the following Bills be resumed at the stage they had reached in the previous session -

1. School Education Bill 1997.
2. Sentence Administration Bill 1998.
3. Sentencing Legislation Amendment and Repeal Bill 1998.
4. Court Security and Custodial Services Bill 1998.
5. Court Security and Custodial Services (Consequential Provisions) Bill 1998.
6. Government Financial Responsibility Bill 1998.
7. Transport Co-ordination Amendment Bill 1998.
8. Water Services Coordination Amendment Bill 1999.
9. State Trading Concerns Amendment Bill 1999.
10. Child Welfare Amendment Bill 1998.
11. Planning Legislation Amendment Bill 1998.
12. Hospitals and Health Services Amendment Bill 1998.
13. Trust Removal (Mount Claremont Land) Bill 1998.
14. Rail Freight System Bill 1999.

And that the Council reconsider Assembly Message No 139 of 1998 which refers to the Workers' Compensation and Rehabilitation Amendment Bill 1997.

COMMITTEES FOR THE SESSION

Assembly's Message

THE PRESIDENT (Hon George Cash): I have received the following message -

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following motion -

That for the present session -

- (a) the Standing Orders and Procedure Committee shall consist of the Speaker, the Chairman of Committees, the member for Belmont, the member for Hillarys and the member for Nollamara; and

- (b) the Parliamentary Services Committee shall consist of the member for Carine, the member for Churchlands, the member for Perth, the member for Midland and the member for Roleystone.

That message is a result of the Assembly's standing orders. The membership of our committees continues through the whole of the Parliament.

GOVERNMENT PRIORITIES AND FUNDING COMMITMENTS

Motion

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [4.17 pm]: I move -

That this House -

- (a) condemns the Government for its misplaced priorities and funding commitments to projects such as the belltower and the convention centre at the expense of core areas of state government responsibility such as health, education, community safety and public transport; and
- (b) calls upon the Government to remedy its failure to deliver government services at affordable rates and give priority to hospitals, schools, police and public transport.

This is the first opportunity for this Chamber to respond to the crisis that is systematically enveloping and containing this Government and that feeds upon itself, a crisis in which the Deputy Premier has allegedly found it necessary to come out and express the concerns in his party about the misplaced priorities of this Government and the wrong spending priorities of his Cabinet colleagues. I note as I embark on my remarks in this debate that we have been joined in the Chamber today in your gallery, Mr President, by some young people from our schools. We have also been joined by staff and students from the Fitzroy Crossing District High School in the Kimberley region. I am sure that members will not mind if I acknowledge their presence and indicate to them that they are most welcome, as are the other students who are accompanying Hon Murray Nixon from the other side of the Chamber.

Hon N.F. Moore: You will not use them as part of your debate because that would be out of order.

Hon TOM STEPHENS: No, I will not. However, my colleagues will forgive me if I make the point that they are present in a Chamber in which I have raised the issue of how important it is for State Governments particularly to give priority to funding for education. The area desperately needs financial support from the Government. It is timely to be reminded by the presence of school-aged people -

Hon Greg Smith: It all fell to bits when you were in government.

Hon TOM STEPHENS: - of the need to place ongoing emphasis -

Hon N.F. Moore: You do not need to refer to people in the gallery as part of your argument.

Hon TOM STEPHENS: I acknowledge the leader's point. Unfortunately, when he was Minister for Education one needed to use every opportunity to ram home the needs of the education system. On every occasion he was deaf to the demands of the people of Western Australia to the point where his own Premier had to shift him from that portfolio to get some emphasis on education. It is a great tragedy -

Hon N.F. Moore: Why not look at how much you spent while in government? If the member were to look at the percentage increases he would come to a very different conclusion.

Hon TOM STEPHENS: Anyone who considers the school system in Western Australia today knows that it is in crisis, particularly in country areas. It cannot attract teachers to take up the many vacant positions. Some schools still do not have teachers for the courses they are trying to offer. Schools such as Wyndham High School, Mt Magnet High School -

Hon N.F. Moore: And there has never been a problem in the past!

Hon TOM STEPHENS: Those problems have been compounded by this Government. The crisis continues and the community is demanding action. What does this Government do? It misplaces its priorities and spends large amounts on bells and whistles.

Hon N.F. Moore interjected.

Hon TOM STEPHENS: The minister seems to think that is an appropriate response.

The PRESIDENT: Order ! The Leader of the House will have an opportunity to respond in due course.

Hon TOM STEPHENS: This motion highlights the point made again and again by the Labor Opposition that this Government has misplaced priorities and spending emphases. This Government seems to think that it is good enough to embark upon monuments to itself and the Premier.

Hon N.F. Moore: Have you forgotten WA Inc and the \$1b you sent down the tube?

Hon TOM STEPHENS: Members opposite consider it appropriate to build belltowers in the metropolitan area.

Hon N.F. Moore: What about bailing out all your mates?

Hon TOM STEPHENS: They believe it is appropriate to build convention centres in the metropolitan area, but do not consider it appropriate to allocate sufficient funds to areas of state government core responsibility such as education, hospitals -

Hon N.F. Moore: Tell us about the \$1b that went down the tube.

The PRESIDENT: Order! It is only the second sitting day of Parliament for this session, but the rules have not changed. Members have those rules laid out in front of them. One is that we do not have interjections. It is not my usual practice to indicate that we have guests in the gallery who are showing some interest in what is being said. Obviously the interjections are not helping.

Hon TOM STEPHENS: Of course, I will forgive our guests if they find it necessary to leave. I am sure that will not be a reflection on my comments - they have a busy schedule. Whenever they feel they must continue their tour, I am sure they will find plenty to see.

Hon N.F. Moore: I am sure you have encouraged them to do so.

Hon TOM STEPHENS: As I was saying, it is important for this Government to recognise the home truths that the Opposition has been trying to highlight for some time. I note with great interest that those points have been more dramatically made from within government by the Deputy Premier. At the recent National Party conference at Carnarvon the Deputy Premier outlined word for word what the Labor Party has been saying about his Government's misplaced priorities.

Hon Murray Montgomery: Were you there?

Hon TOM STEPHENS: No.

Hon Murray Montgomery: Do not say "word for word", because those words were taken out of context.

Hon Mark Nevill: What did Liz Davenport say?

Several members interjected.

Hon TOM STEPHENS: I had the good fortune not to be at the National Party conference. I also had the good fortune to hear the Deputy Premier outline a similar critique to that presented by the Labor Party for some time.

Hon Murray Montgomery: That is a little different from what you said. You are now saying it was similar.

Hon N.F. Moore: Shortly he will say it was roughly the same and then perhaps that it was not the same.

Hon Murray Montgomery: You should not take someone's comments out of context to make your point.

Hon TOM STEPHENS: I will draw on the media reports.

Hon Murray Montgomery: They are 15 or 30-second grabs.

Hon TOM STEPHENS: Is the member saying that the media is lying in reports about what the Deputy Premier said?

Hon Murray Montgomery: They took 15 or 30-second grabs out of a five or 10-minute speech.

Hon TOM STEPHENS: In fact, the media referred to a statement made outside the conference centre. The Deputy Premier clearly articulated his critique of the Government's misplaced priorities and budget preoccupations with expenditure on projects such as the belltower, the convention centre and other similar metropolitan projects.

The senior political correspondent for *The West Australian*, Anne Burns, is not known for getting things wrong.

Hon N.D. Griffiths interjected.

Hon TOM STEPHENS: On the front page of *The West Australian*, Mr Cowan is reported -

Hon N.F. Moore: Do you disagree with your leader?

Hon N.D. Griffiths: She often gets it wrong.

Hon TOM STEPHENS: - as saying that he wants Mr Court to drop or delay some of his pet projects and bring down a mini-budget to fund timber industry restructuring and blow-outs in Health, Education and Justice. That is very similar, if not identical, to that which has been articulated by the Labor Party since this Government has been in office. As members opposite were articulating their election policies in 1992, the Labor Party urged them to get their priorities right. They were misplaced even then.

The West Australian report states -

Speaking at the National Party conference in Carnarvon yesterday, Mr Cowan called for the Government to rethink its spending priorities . . .

Hon N.F. Moore: What about the \$20m belltowers?

Hon TOM STEPHENS: I am not surprised that the leader is embarrassed. At one time he visited Carnarvon occasionally, but he has deserted it since he has been in government.

Hon N.F. Moore: How many belltowers can you get for \$20m?

Hon TOM STEPHENS: This is a town of some interest to the leader. I am sure the member for Ningaloo was upset to hear the Deputy Premier arguing in his own community that the Government has misplaced spending priorities. Instead of allocating resources to people in need in rural communities such as Carnarvon and the Gascoyne, this Government is spending those funds on projects in the metropolitan area. Those misplaced priorities will ring the death knell for members such as the member for Ningaloo. This coalition member will be driven from office by the double whammy of the Labor Party and the National Party criticising the Government. The Government has misplaced its priorities and misspent funds. It has not provided the people of Carnarvon and the surrounding area the opportunity to benefit from the income it derives in increasing quantities from the taxpayers of Western Australia.

The PRESIDENT: Order! I cannot hear what is being said and if I cannot hear, neither can others.

Hon TOM STEPHENS: The Deputy Premier went on to name the \$200m in projects, such as the belltower, the convention centre, the Fremantle maritime museum, the motor sports complex and the soccer stadium. The article continues -

Mr Cowan said luxuries should not come ahead of genuine need in health and education . . .

The project should be put on hold to allow the Government to invest in capital works projects in the South-West timber communities damaged by the Government's revised forest strategy.

The Government was headed for a budgetary shortfall because of softening revenues from mineral royalties and payroll tax and increased demand in health, education and prisons.

Finances had also suffered unforeseen blows such as the Moora floods and cyclone Vance and the need to pay redundancy top ups to sacked timber workers.

To maintain a balanced budget the Government would have to review its spending priorities.

Mr Cowan said capital works spending in the South-West needed to be brought forward to boost the local economy.

"We can't wring our hands and say we've got no money," he said.

Members should bear in mind that this is a man who, as Hon Nick Griffiths discovered yesterday, sits on the budget subcommittee. He is one of the six people on the subcommittee. Therefore, he is one of the people who knows.

Hon N.D. Griffiths: No, he doesn't; he is the sleeper.

Hon TOM STEPHENS: He may be asleep.

Hon N.F. Moore: You have just mucked up his argument. He has already said "he knows". Therefore his knowledge is superior. You are probably quite right and he was asleep.

Hon TOM STEPHENS: The Leader of the House has just said we are probably quite right and the Deputy Premier was asleep. He may have been asleep, but if Hon Norman Moore was there, presumably it was his task to wake up the Deputy Premier. We know the Leader of the House is Grumpy, we now know who Sleepy is, we know who Dopey is; how many more of the Seven Dwarfs attend these budget subcommittee meetings?

The PRESIDENT: Order! I do not mind a little tête-à-tête in the Chamber but it does no-one any credit when it becomes a circus, especially when most members want to join in. If the Leader of the Opposition directs his comments to me, I will not interject and I will listen very carefully to what he is saying.

Hon TOM STEPHENS: It is important to understand the exact role of the Deputy Premier at the meetings of this important subcommittee of Cabinet. The Leader of the House suggests the Deputy Premier may sleep through these meetings.

Hon N.F. Moore: I was suggesting that your inference was disputed by your deputy leader. He has already disputed two things you have said in one speech. Do you think you have a problem within your ranks?

Hon TOM STEPHENS: There are two possible explanations: Either the Deputy Premier was asleep and did not know what was happening or he was awake and conspired in the budgetary process which has allowed this Government to set aside funds for those projects about which the Deputy Premier is now joining the Opposition in protest. However, I gather the Deputy Premier joined the Opposition in protest for only a couple of days before the Cabinet finally pulled him into line and he said words to the effect that some of the issues about which he had concerns were being taken into consideration. I think those were the words the Deputy Premier used yesterday in another place. The Deputy Premier's comments were somewhat muted in comparison with those being articulated - indisputably, Hon Murray Montgomery - in Carnarvon and one would hope reported faithfully on the front page of *The West Australian* and in other sections of the media. The article from *The West Australian* continues -

Mr Cowan said capital works spending in the South-West needed to be brought forward to boost the local economy.

I hope that as early as today the Opposition in the other place will have an opportunity to see whether the National Party stands by the resolution the Labor Opposition in that House has put on notice, to see whether the National Party can stand by its wringing of its hands in the wider community. The article continues -

"We can't wring our hands and say we've got no money," he said.

The Deputy Premier knows that because he attends the budget subcommittee meetings. It continues -

The Government's scarce financial resources should not be spent on things people might want but do not need.

I repeat, "on things people might want but do not need". The article continues -

. . . Mr Cowan said there were clear indications from the health, education and justice departments that the Government was facing a budget over-run.

In his comments the Deputy Premier has articulated all the reasons every member of this House should join me in supporting this argument, certainly the National Party members whom the Deputy Premier presumably leads in his views and critique of government. If members are not persuaded by my words, I hope they will be persuaded by the eloquent words of the Deputy Premier and Leader of the National Party, who has volubly articulated the Labor Party's critique. I hope members will bear the Deputy Premier's words in mind when they vote on this resolution. If members opposite are more than straw men, more than hollow, vacuous men, more than empty vessels making loud noises, they will join the Opposition in supporting this motion so their coalition colleagues will understand that they are serious and want the Government to re-establish some sense of proportion and priority and give some of its bush colleagues a chance of retaining their seats at the next state election by allocating some resources to the people so desperately in need.

Unfortunately, we have already seen something which resembled a recanting of the Deputy Premier's position. One fears that this is the display of a leader who has had his five minutes of glory on the front page of *The West Australian* and does not now want to stand up for what he believes in the cabinet room, the coalition party room or on the cabinet budget subcommittee, in which he sleeps or sits there a bit like a tamed poodle decorating the room, rather than going in to produce the goods for the people who have desperately hoped the National Party would stand up for the needs of regional Western Australians. The Deputy Premier has not patched up his differences with the Minister for Tourism, who only yesterday said he still disagrees with the Deputy Premier.

Hon N.F. Moore: And I disagree today if he is still saying the same thing.

Hon TOM STEPHENS: That was pretty frank; the Leader of the House disagrees with the Deputy Premier.

Hon N.F. Moore: I would like to know from you which of those projects you support.

Hon TOM STEPHENS: The Leader of the House should sit back and listen because we will tell him.

Hon N.F. Moore: I am looking forward to that because your leader does not know either.

Hon TOM STEPHENS: I certainly support the plea for a re-evaluation of the Government's priorities and the reallocation of these funds so they are utilised much more appropriately, particularly in response to the needs of the people of the south west who have been so cruelly hurt by the tricks played on them by the Government in its mishandling of the timber industry and the Regional Forest Agreement processes. There is a way to use those funds to assist workers in the south west. The Government has the funds, but instead of giving the people of the south west a chance to put the money to good use and construct real employment opportunities in the region, it is to be used for more belltowers, convention centres, metropolitan-based projects which count for nothing in the end when compared with the needs of the south west region. Members know there are real people, real families in real need in the south west. Members opposite are all in government and can make a difference. If members opposite got the Government to change its priorities, they would succeed in relieving some of the pain.

Hon Greg Smith interjected.

The PRESIDENT: Order! Hon Greg Smith, stop interjecting.

Hon TOM STEPHENS: The ALP has been hammering home the fact that the Government has had its priorities wrong for a sustained period. We have looked at each of the Premier's pet projects which have been referred to: The soccer stadium, the motor sports complex, the Fremantle maritime museum, the convention centre and the belltower. With reference to the soccer stadium -

Hon N.F. Moore: The only project your lot supports.

Hon TOM STEPHENS: The Australian Labor Party is definitely in favour of the soccer stadium.

Hon N.F. Moore: What a joke you are.

Hon TOM STEPHENS: No, I am not. The minister asked me and I am telling him.

Hon N.F. Moore: Why is it better than a convention centre?

Hon TOM STEPHENS: The minister asked me a question and I am telling him that the ALP supports the soccer stadium.

Hon N.F. Moore: You are in support of the soccer supporters.

Hon TOM STEPHENS: Does the minister want the Opposition's support or its opposition? The minister asked a question and when I gave the answer, he did not like it. The Labor Party has indicated that it supports a proposal that would lead to funds being delivered to the community of Western Australia for a soccer stadium. I gather that so far the Government has allocated only \$500 000 in the budget towards the \$3m in planning costs for the sports stadium. The minister has trumpeted that the Government will build a soccer stadium -

Hon N.F. Moore: I have not said that at all.

Hon TOM STEPHENS: However, only \$500 000 has been allocated towards the \$3m required for the planning phase. The Government is pretty good!

Hon N.F. Moore: It is part of the convention/exhibition centre project. If you listened for five minutes, instead of shooting your mouth off, you would know what was going on.

Hon TOM STEPHENS: I well and truly know what is going on. The Government is in disarray. Members on this side know that we support this project, but the National Party does not and the Liberal Party does. Despite the fact that the Liberal Party supports the project, it has allocated only \$500 000 to it.

Hon Derrick Tomlinson: Because the minister knows that if he did not support it, Sam Piantadosi would thump him!

Hon TOM STEPHENS: The Minister for Sport and Recreation is a disgrace, and his Government is an excuse for a Government. The Deputy Premier has attacked the priorities set in the budgetary process. The Government has allocated funds in the budget, but its coalition partner is deserting it in the public debate and, presumably, went to sleep during the budget estimates process.

The Government's capital works program comprises two significant sporting facilities for 1999-2000, and the continuing upgrading of the ministry's information systems. The major work commencing this year is the new international motor sports facility, to which \$16m has been allocated over two years.

Hon N.F. Moore: Do you support that?

Hon TOM STEPHENS: Funding of \$500 000 is provided for the planning of a new sports stadium.

Hon N.F. Moore: Do you support that?

Hon TOM STEPHENS: Before I answer that question, I ask whether the minister wants me to support it or oppose it.

Hon N.F. Moore: I want to know where you stand.

Hon TOM STEPHENS: When I told the minister last time where the Opposition stood, he was upset.

Hon N.F. Moore: I was not upset. You opposed everything else and I wanted to know why you supported the soccer stadium. Tell us where you stand on the sports stadium.

Hon TOM STEPHENS: In our assessment of the needs of the soccer supporting community, the soccer stadium project makes sense. The belltower project does not make sense, and we say loudly and clearly that it does not deserve the support of the Government.

Hon N.F. Moore: Why not? Do you think that the sporting community is more important than other parts of the community?

Hon TOM STEPHENS: The belltower and the Barrack Square redevelopment project do not deserve the misplaced sense of priority given to them by this Government.

Hon Muriel Patterson: Why did your Government accept the bells in the first place?

Hon TOM STEPHENS: The Labor Government had no intention of wasting taxpayers' funds in the way proposed by this Government. Members opposite cry crocodile tears for the workers who are protesting at the front of Parliament House, but they had an opportunity to ensure that government funds were spent to respond to the needs of the workers who have lost their jobs.

Hon Muriel Patterson: The Opposition went straight out and cancelled any hope they had.

Hon TOM STEPHENS: Members opposite are in government and they had the opportunity to reallocate the budgetary resources if they had the wit, will, compassion and courage to do that. Instead, they cried crocodile tears. Hon Muriel Patterson had the chance and she chose not to use the clout she has. She has a senior position in the Government, as Government Whip in the Legislative Council, and could bring down the Government any day of the week! Instead, she has toed the party line and chosen to leave in place a Government that is damaging the interests and needs of the community she represents. Funds are available to make the necessary changes. Hon Muriel Patterson cannot wring her hands and say that no funds are available. This Government has the funds but wants to spend them elsewhere. When she listens to the workers who are protesting at the front of Parliament House, she should bear in mind that she has an opportunity to do something about their plight.

The capital works program for sport and recreation indicates that no expenditure is planned for the international motor sports facility and the sports stadium to 30 June 1999, from allocations of \$16m and \$3m respectively. The estimated expenditure in 1999-2000 is \$12.7m for the international motor sports facility, and \$500 000 for the sports stadium planning project.

Hon Muriel Patterson: If you were in government, you would be paying for a 50-foot tower of Yagan.

Hon TOM STEPHENS: When in government, the Labor Party will respond to the needs of the community in ways that give the community the priorities it seeks and deserves. Members of the work force in the south west have legitimately come to the Government for support, but their requests have fallen on deaf ears and the Government will not respond to their needs. This Government could do what the Carr Government did in New South Wales and provide substantial programs, in conjunction with the RFA, to meet the needs of the timber industry and the workers in that State. The New South Wales Government has a real commitment to meeting the needs of the work force. A Labor Government in this State would get

its priorities right and restructure the industry to build solid employment opportunities for the people in the south west. It would not leave them on the scrap heap, which this Government has a propensity to do no matter which area it is involved in. The exception is the Government's advisers. It looks after its advisers - whether Jack Gilleece or Ian Fletcher. It provided the funds to move Mr Fletcher's dog from one side of the country to another. This Government looks after its advisers and consultants with multimillion dollar contracts but it does not look after the workers, especially those displaced from their jobs on the buses and trains and in the workshops and the timber industry. It is a hard-hearted and cold-hearted Government that has misplaced priorities. It has no sense of compassion and does not respond to real community hardship and needs. It cares only about tunnels, belltowers, consultants, advisers and outsourcing that cost the taxpayers of Western Australia considerable amounts of money.

When people, such as those soon to be redeployed from the timber industry in the south west, are in need, government members cry crocodile tears and are deaf to their concerns. It is not an appropriate response from a Government of Western Australia and it should not be allowed to get away with it. Members on this side are determined to take this issue through to the next state election so that the people of Western Australia have a chance to show this Government the door and put it into the oblivion of opposition that it deserves. In its place will be a Government of compassion and foresight. The coalition Government promised jobs and better management. Do members opposite seriously consider that the Government's handling of the RFA process has delivered on that commitment to the people of Western Australia? Has this Government responded to the needs of the workers by providing substantive programs when their jobs have been taken from them as a result of decisions foisted upon them by the demands of the community? The State Government has not provided an appropriate response.

It is incumbent on the Government to explain the total cost of the stadium, from where funding will come and the amount and source of the private sector contribution. No Western Australian would welcome the building of such a stadium at the expense of essential government services, which continue to suffer under this Government. We say to the Minister for Sport and Recreation that a soccer stadium is needed. The minister must explain the full proposal, and the Government's proposed expenditure. When he has delivered all that information to Parliament, the Opposition will apply its scrutiny and express its view. In the meantime, the Opposition agrees that a soccer stadium is needed. The ALP considers the construction of a sports stadium to be a good idea, but it should not be a gift to the commercial sector at the expense of taxpayers. Some arrangement of contribution will be required between the private and public sectors.

Hon N.F. Moore: Which private sector operator will build a stadium?

Hon TOM STEPHENS: The Minister for Sport and Recreation has the vast resources of his portfolio at his disposal. He must come forward with a proposal. That is the minister's task.

Hon N.F. Moore: What would you do? You tell me it will be a private and public sector stadium. Tell me how to do it.

Hon TOM STEPHENS: Firstly, we would get rid of the current Minister for Sport and Recreation and put a decent Government in place. We would appoint a competent minister and, lo and behold, a desperately needed soccer stadium would be delivered to the community of Western Australia. Opportunities will arise for that to happen, but it will require the stewardship of a competent minister and Government; namely, those able to do something of decency for the people of Western Australia.

Hon Murray Montgomery: While you were in government, Hon Tom Stephens, the then minister was endeavouring to provide such a stadium but he said, "I do not want to build a stadium; I cannot build a soccer stadium, mainly because the soccer people cannot agree where it should go." We have made the attempt and indicated that we will build one. That is more than the previous Labor minister did.

Hon TOM STEPHENS: Members opposite have been in government for five years and have not yet built a stadium. The Opposition encourages the Government to do so, to come forward with the proposal and get it before Parliament so we can indicate whether the proposal should have the support of Parliament.

Hon Barry House: Put it on Bankcard, like you lot did!

Hon TOM STEPHENS: Members opposite are the ones for that approach.

Hon N.F. Moore: So that is two bob each way.

Hon TOM STEPHENS: Not at all.

Hon N.F. Moore: You said that the private sector would build half of it. How will you do that?

Hon TOM STEPHENS: We encourage the minister to use whatever skill he has.

Hon N.F. Moore: I will tell you what I will do: When the process is complete, you will know the detail. I am going through the process properly.

Hon TOM STEPHENS: When will it be complete?

Hon N.F. Moore: In a few months. Do you not know?

Hon TOM STEPHENS: Is that December, January or February - which year?

Hon N.F. Moore: This year.

Hon TOM STEPHENS: So, the process will be completed by the end of the year and the minister will proceed with construction.

Hon N.F. Moore: I will proceed with what arises from the process.

Hon TOM STEPHENS: What does the minister anticipate will come out of the process?

Hon N.F. Moore: How would I know. It is being negotiated.

Hon TOM STEPHENS: By whom?

Hon N.F. Moore: Where have you been?

The PRESIDENT: Order! Question time starts in five minutes. If Hon Tom Stephens continues with this conduct, every other member will want to join in.

Hon N.F. Moore: I want him to know what is going on.

The PRESIDENT: I am about to call the Leader of the Government to order; he is half of the problem.

Hon N.F. Moore: The Leader of the Opposition needs the information.

The PRESIDENT: I do not need the interjections. As the former President used to say, members do not have to believe or like what is being said; however, if they are to remain in the Chamber, they must listen.

Hon TOM STEPHENS: I am happy to take by way of interjection any indication by the minister that he is capable of delivering to the people of Western Australia the construction of a soccer stadium under a reasonable proposal. I look forward to the day that the minister delivers a proposal which can be subject to scrutiny, and which stacks up -

Hon N.F. Moore: Even you will be pleased, I suspect, when it comes out of the process. You're hard to please.

Hon TOM STEPHENS: I look forward to being pleased. I hope the Deputy Premier also will be pleased. He seems to be harder to please than the Opposition, which has indicated support for a soccer stadium in the metropolitan area. The Labor Party wants the information so it knows whether the specific proposal deserves support. The minister must deliver information to the Chamber as quickly as possible.

Hon N.F. Moore: When the proper process has been undertaken, all will be revealed to you.

Hon TOM STEPHENS: Will all be revealed by December of this year?

Hon N.F. Moore: Yes. I said by this year. I hope construction will start next year. If you took time to look at the convention centre proposal expressions of interest document, you would know the timetable. It is a public document. You never check the detail. You are full of rhetoric, rubbish and hot air. You do not know what is going on and make speeches which mean nothing. You need information. I will send you a copy of all the documentation so you will know what is going on.

Hon TOM STEPHENS: I look forward to the documentation. If the minister's criticism of me is accurate - I do not suggest it is - he has successfully criticised his Deputy Premier.

Hon N.F. Moore: I said I do not agree with him on this issue.

Hon TOM STEPHENS: Is he a bag of wind as well?

Hon N.F. Moore: On this issue, he probably is. You can make that point 10 times. I have said three times - once yesterday, and twice today - that I do not agree with the Deputy Premier on this matter.

Hon TOM STEPHENS: Does he know what is going on?

Hon N.F. Moore: He has his own views, and he expressed them. I have my views, which I express.

Hon TOM STEPHENS: When I echo the expressions of the Deputy Premier, I am a bag of wind and do not know what is going on. However, when the Deputy Premier expresses the same view, he is establishing that the Minister for Sport and Recreation and he do not agree on the subject. He was probably asleep during the cabinet budget subcommittee. He does not appear to know what is going on. Those comments were made by the Leader of the Government in reference to the Leader of the National Party and Deputy Premier.

Hon N.F. Moore: The "bag of wind" reference was to the speech you are making today; that is, it is full of rhetoric and hot air.

The PRESIDENT: Order! I cannot hear what is going on. One member suggested to me earlier that I was lucky not to be able to hear. However, it is my job to ensure that other members can hear what is going on.

Hon TOM STEPHENS: Mr Deputy Premier - I mean, Mr President; what is your name?

Hon Derrick Tomlinson: He has Carmen's disease!

Hon TOM STEPHENS: At least I am awake during my contributions in my professional life, unlike the Deputy Premier in budget subcommittees and his participation in the determination of the budget.

The Opposition believes that the motor sports project deserves the closest of scrutiny.

Debate adjourned, pursuant to standing orders.

[Questions without notice taken.]

METROPOLITAN REGION SCHEME - ROAD RESERVE AMENDMENTS

Statement by the Attorney General

HON PETER FOSS (East Metropolitan - Attorney General) [4.32 pm]: The two amendments the subject of this statement affect road reserves for future transport needs, cycleways and footpaths, preserving areas of aesthetic value and changing zonings to better conform to surrounding land uses. Roads affected by the changes include Beach Road and Malaga Drive, West Swan Road, Wellington Road, Southport Street, Spencer Road, Thomas Street, Spearwood Avenue and Collier Road.

The Regional Roads 4 metropolitan region scheme amendment changes remove some land that will not be needed for future transport use, enabling the land to be developed and reduce government contingent liability for compensation by about \$11m. These changes were advertised for public comment between September and December 1998. There were 51 submissions and six people or groups met a hearings committee to discuss their views. There was universal support from landowners for the removal of regional road reserves from the affected properties.

Where a proposal was to increase the road reserve, owners lodged their objections and the compensation issues raised have been resolved through compromise with the hearings committee in some cases.

The Western Suburbs 2 MRS amendment deals with a number of changes for future road reservations and rezoning to urban, public use and parks and recreation uses in the Nedlands, Cambridge, Claremont and Mosman Park areas. Public submissions were sought between July and October last year and there were 29 replies. Most objections came from proposals to change the former plant nursery depot at the Town of Cambridge and Henderson Park on Salvado Road, Floreat from parks and recreation reserve to an urban zone. There were also objections to transfer of surplus railway land at Claremont from a railway reservation to an urban zoning. After the hearings committee, changes were made to exclude Henderson Park from the amendment and include an additional portion of surplus railway land at Claremont to a zoning of urban land. I commend the amendments to the House.

ADDRESS-IN-REPLY

Motion

Resumed from 10 August.

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [4.34 pm]: I support the motion moved by the lead speaker from the Government in this Address-in-Reply debate. I join with the sentiment that expresses our appreciation as members of Parliament for the work and effort that is put into the role of the Governor of Western Australia by His excellency Major General Jeffery on behalf of the people of Western Australia and I pay tribute to the work of Mrs Jeffery for her tireless effort in her role.

I note that it is the intention of His Excellency to retire at the end of the current term. I presume it was his last opportunity to deliver the Governor's speech outlining the Government's legislative program to this House. We wish His Excellency well as his opportunity for retirement approaches. He will no doubt take the opportunity, on many different occasions in the next six months, to meet with the community of Western Australia as his term as Governor draws to an end.

Regrettably, the speech which His Excellency is required to deliver to this Chamber, which by custom is a speech prepared for him by the Government of the day, displays a government program that is devoid of benefit, vision and anything resembling a social dividend for the Western Australian community. It displays a Government that is well and truly out of touch with the key issues which affect the community, the aspirations, the needs, the wants, the expectations, and the demands of leadership that are made by the community of the Government of the day.

Missing from the legislative agenda is any program of response to the hard social issues of the day. No legislation has come forward to tackle the problems associated with prostitution within our community. That complex issue is exploding into problems on the streets of the metropolitan area of Perth, with an increasing number of sex workers now missing after being taken from our streets; ongoing problems associated with the health and hygiene issues in the sex industry; and the failure of this Government to come up with the legislative response. We have a frank admission on the part of the Government that it is paralysed in the face of the challenge. The fact that it is a hard issue to tackle has meant that the Government is incapable of delivering anything more than draft after draft of legislative response that is yet to meet the approval of the Government's own party room let alone land in the Parliament to enable us to do our job of meeting the needs of the wider Western Australian community.

It would be a proper Government, a decent Government, an honourable Government that governed for all Western Australians and recognised the hard, social issues that I have mentioned. I add to those issues the absence of Bills such as the Medical Care of the Dying Bill. The fact that Bill is not on the legislative program opens up an unacceptable invitation to the peddlers of death in our community to produce alternative propositions altogether to bring forward the legislative push for euthanasia. Instead, this Government could have come up with an appropriate legislative response that obviated at least one of the arguments in support of the legislative agenda that is now being championed by the member from the Australian

Democrats whom I have come to nickname Dr Death with his penchant for pushing the Voluntary Euthanasia Bill into this House. He is determined to have Parliament progress that issue. I leave that matter aside, other than to say that the Government has a responsibility to at least tackle the legislative position for doctors handling palliative care. The Medical Care of the Dying Bill was important legislation. Parliament could have dealt with the complex issues surrounding the medical fraternity in this regard. I am sorry that the Government did not rise to meet that challenge. A proper, decent and honourable Government would not shirk difficult issues. I am pleased that Hon Norm Kelly had the opportunity to hear my initial remarks. He understands my position. The Government is obliged to deal with some of the valid arguments put forward on this subject, which regrettably have been misused.

Hon Norm Kelly: It seems that you are keen to bring on debate on this matter.

Hon TOM STEPHENS: The Government has the responsibility to tackle the medical care of the dying issue, but it has chosen not to do so; this was highlighted in the legislative agenda outlined in the Governor's speech. The Government has shirked the issue. It has an obligation to care for young girls driven or attracted to, or stuck in, prostitution, and to care for the residents and businesses dealing with the ramifications of illegal drugs and prostitution, both of which are rampant on some streets of metropolitan Perth. This Government cares more about not upsetting its troublesome backbench than tackling the difficult issues. They are a supercilious bunch who take on an outmoded sense of morality as an excuse for burying the Government's head in the sand on these issues. The Government's inaction effectively - in my view and in the view of most people in the community - represents an endorsement of the current position; that is, the participation of organised crime within the world of prostitution and maintaining the complexity of the drug issues in metropolitan parts of the State. Means are available to break that nexus to ensure that people in the residential streets of Perth, and the Perth community, do not find themselves competing for space in their streets with this industry. Businesses in those areas should not be subjected to such competition. The matter can be more appropriately dealt with through a legislative framework by which such operations are contained so they are not in competition with the wider community.

Hon B.K. Donaldson: Did you not have a report in 1990?

Hon TOM STEPHENS: How long have members opposite been in government?

Hon W.N. Stretch: You commissioned that report and then you forgot about it.

Hon TOM STEPHENS: We were in government for three years with the report. Members opposite have been in government for how long?

Hon Bob Thomas: It has been six and a half hard years.

Hon W.N. Stretch: You had it for three years and did nothing with it.

Hon TOM STEPHENS: The member makes a fair point. Much to our regret, the issue was not successfully tackled by our Government. However, the report has been available to Governments for nine and a half years. Members opposite have failed the test with that task. Clearly, we learnt from the Attorney General today -

Hon W.N. Stretch: You saw how slippery is the ground in three years. We are finding the same.

Hon TOM STEPHENS: The task demanded by the community is that the Government get on with it and fix the problem. The Government should toss it in if it finds it cannot do it. Give it to the alternative Government, which stands ready, willing, able and capable of dealing with the difficult questions. Organise the resignation of the Premier in the other place. The Governor does not need the Address-in-Reply delivered to him. The member could instead take the Premier's resignation to the Governor and do us all a favour. Another Government would be capable of tackling the difficult questions; members opposite are no longer able, capable or willing to do so.

The Governor's speech referred to state constitutional reform, but only if the federal referendum on the republic were successful. The State urgently needs constitutional reform, and the Opposition has produced initiatives in this area. Notice was given of a Bill by Hon John Cowdell, who is the shadow spokesperson on these matters. The ALP is anxious that progress be made in this area. It will ensure that the Government does not think it can get away with awaiting the response of the federal referendum. Real legislation should be advanced for real benefits.

Hon B.K. Donaldson: Be fair: The proponent of the Bill asked us to hold off for a certain time. It now has been re-established.

Hon TOM STEPHENS: Regrettably, the Government has announced its legislative program in the Governor's speech, and it did not have the good sense to embrace Hon John Cowdell's Bill. The Government could and should have been persuaded by the advantages of pursuing the member's legislation.

Hon B.K. Donaldson: The Leader of the Opposition will be involved with it soon.

Hon TOM STEPHENS: I hope Hon Bruce Donaldson will understand the need to give it some priority. It should not fall on the shoulders of only the Opposition to advance constitutional reform. As Hon Bruce Donaldson knows, it is a challenge enough to get a Bill through this place, but it is another matter to ensure it has priority in the other place, and is advanced by the Government through the Legislative Assembly.

The Government has placed some budgetary emphasis on what was supposed to be a feel-good Constitutional Centre, which was set up under the custodianship of a person who it appears was well connected to the Government. The person was able to get away with substantial budgetary blowouts. The Constitutional Centre did not explain the State's Constitution to the

community; rather, it was caught up with the then director's extravagant spending over an extended period without any effort on the part of the Government to call that director to order. Stories from the Constitutional Centre of the mismanagement - allowed, we are told, because of the politically well-connected director - represent an unacceptable way for a Government to tackle the State's constitutional issues. The centre's budget contained a hole as large as the hole the Government has dug for itself with the Northbridge tunnel fiasco. This continues to engulf this city, and entraps many budgetary resources of this State. We hope it will not be an edifice to Government waste. We certainly hope it will not be a flaming inferno of destruction for the users of the road. I saw an article in the RAC magazine recently which indicated the tunnel has design problems which could place tunnel users at risk. These matters appear not to have been adequately addressed at all.

Hon W.N. Stretch: Did you read the article fully?

Hon TOM STEPHENS: I will take the opportunity to read the article fully and return with a detailed debate on that question. I will do so armed with comments from the article and the concerns expressed about the impact that tunnel will have on the city and its traffic flow, particularly when facing the risk of emergencies which arise from time to time in such tunnels. Also, the city's traffic flow will be dramatically altered by the Premier's other great edifice; namely, the Barrack Square project. Changes to the traffic flow on the foreshore will compound the potential problems which could engulf this city as a result of any mishap in the tunnel.

The Government today named the Pearl Bay Resort Developments in Broome as the preferred developer of Gantheaume Point. Pearl Bay is a fascinating name.

Hon Derrick Tomlinson: Is that where that sheila lived, or that fisherman bloke?

Hon TOM STEPHENS: Right on cue! Today the Government announced a cabinet decision to allocate the Gantheaume Point development to Pearl Bay Resort Developments.

Hon Derrick Tomlinson: Will they build a bridge?

Hon TOM STEPHENS: No. This is a fascinating decision-making process by the Government.

For those reasons I asked the Minister for Lands to table the memorandum of understanding to be signed with that company, which has been approved by Cabinet. That was not an open tender process, but simply a call for expressions of interest that has been dealt with internally by Government. It concerns me to see one name on the list of directors of that company, and it is not Bob Jelly from "Sea Change", that popular television series that now has new meaning for me. The dumped Liberal leader, Barry MacKinnon, is on the board of the directors of the development proposal which has now found favour with the State Government in a closed process, which has gone on inside Government, about which little information - basically none - has been given to the local community. When the minister was given the opportunity to give more information today, he chose not to and shrouded the project with the claims of commercial confidentiality, which await the signing of a memorandum of understanding which will put aside the use of that enormously important Gantheaume Point area for the Broome community, and give it to the company of the dumped Liberal leader.

Hon W.N. Stretch: Carmen Lawrence should be on it.

Hon TOM STEPHENS: I do not think she applied for use of Gantheaume Point. I am sure, as Premier, she would not have allowed a proposal to go forward that had been vigorously opposed by the local community. That community has overwhelmingly supported a new shire council being elected within the Broome community in response to this disregard for the viewpoint of the locals.

Hon Ray Halligan: Are you suggesting some impropriety?

Hon TOM STEPHENS: That is a very good question. What process governs the modus operandi of this Government? Does impropriety govern it?

Hon Ray Halligan: I was going to suggest that you had some evidence to put forward.

Hon TOM STEPHENS: Normally a proposal would come forward because a community wants a project; however, the Broome community has a limited number of magnificent features, such as Gantheaume Point, Riddell Beach, which is adjacent to it, Cable Beach on the other side, the racecourse, and that whole environment which is highly valued by the local community. There is no desire on its part to give up public access to the point, the beach or the area at the southern end of Cable Beach. Yet, furtively, secretly, the Minister for Lands, without consultation with the local community, champions the cause of a group which calls itself the Pearl Bay Resort Developments, which has amongst its board of directors, Barry MacKinnon. The proposal gets through the cabinet room, and the arrangements that govern the strategy have still to be announced by the minister. Did it include bypassing other proponents that have been knocked off in this closed process, in the secrecy of the cabinet room? What access was the former dumped Liberal leader able to get on behalf of his company that guaranteed it this easy ride to develop one of the State's brilliant features, Gantheaume Point?

I declare an interest here - I am the patron of the Gantheaume Point protection society. It is not a paid position, but I was invited to take it on as one of the local members of Parliament, and I did so with pride and respect for the views of the local community. I then find that this Cabinet has endorsed a development strategy for this section of my electorate, which will affect members of the town community for whom I have a great affection, to use this area of public space in a way that could damage the environment, the access to the beach or to force removal of the racecourse and racing community - and all for a former dumped Liberal leader. There must be better consolation prizes for him. All I say to the Government is this: It is running a crazy show when it does these things covertly without making available real consultation processes with the local

community. There is a risk that it can be accused of running a Bob Jelly operation, riding roughshod over the views of the locals in its efforts to reward former dumped Liberal leaders.

Sitting suspended from 6.00 to 7.30 pm

Hon TOM STEPHENS: Before the dinner break I was expressing my concerns about the Government's announcement of a selected preferred developer of the Gantheaume Point project in Broome. I had intended to tell the House how concerned I have been that no information has been forthcoming from the Government on this project in response to the various questions I have sent in its direction to this point. No information was forthcoming in question time today about the proposed memorandum of understanding.

Hon Max Evans: I answered questions in question time today; what questions are you talking about?

Hon TOM STEPHENS: I sought information about the consultation process with the local community, what had triggered the project, how it had been selected -

Hon Max Evans: People have been trying to do something in that area for the past 10 years. Your Government talked about that. There is nothing new about developing the area.

Hon TOM STEPHENS: There is nothing new about the concept of a development strategy for the areas surrounding and adjacent to the racecourse. I was concerned, as was the local Broome community, about the concept of any development that intruded on the Riddell beach and the southern end of Cable beach and would limit access to those areas, or limit public access to Gantheaume Point. In the absence of information from the Government that it was prepared to absolutely guarantee that public access to Riddell beach would be maintained -

Hon Max Evans: Where have you raised those questions?

Hon TOM STEPHENS: These concerns have been expressed in questions in the House over time; and there have been questions on notice, letters to ministers and public debates in the media in the north west. I have had ongoing concerns about the background to this proposal. In my experience as a parliamentarian representing that area, captains of industry take the opportunity of keeping the Government and the Opposition regularly informed about what goes on in their areas. We have had an opportunity for major corporations around the world to keep us informed of what is happening in various parts of the electorate. That is done regularly on the basis that the information is confidential because of commercial sensitivities. The Opposition has not been given any briefings, and neither have I, about the intricacies of the project envisaged. That is why I was particularly concerned about it.

As Hon Derrick Tomlinson said, it is humorous that the Government has selected a company I had not previously heard of, called Pearl Bay Resort Developments, in the sense that it could bring with it to Broome the risk of Bob Jelly's style of politics. I naturally want some information and that is why I fired off the questions seeking information. It is important that the Government guarantee an opportunity for developing areas of Broome without impacting on the amenity of the locality, damaging the site or damaging an icon of the community in the Gantheaume Point location. At the same time, it must make sure that development includes the local community, builds up the opportunities for training, apprenticeships and employment for local Aboriginal people and the wider community, and that the local business community benefits from the development. They are the processes I would have advocated if my speech after the dinner break had continued in the same vein as before it.

However, fortuitously during the dinner break someone from the Pearl Bay Resort Developments project has had the courtesy to return calls I placed earlier in the day and has assured me that the answers to my questions will be forthcoming. I ask only for an assurance from the Government that it will not be the beginning of a Bob Jelly type approach to community consultation on the development proposal for Broome. I hope the Government will require of the proponents that they undertake not mere token consultation, but real consultation that attracts the support of the local community for a project based on respect for the amenity of this site. The proponents should find ways of including the local community in the benefits that might flow from a project such as this. I am appreciative of the assurances now given, albeit belatedly, that there is no proposal for a casino or any form of gambling licence associated with the project. I want assurances in that regard to be even more categorical than they were in the question answered earlier today and the verbal assurances I sought. I am still seeking details of the memorandum of understanding, which is in draft form, between the Government and the proponent. I want to make sure this Pearl Bay Resort Developments project is not arrived at with a wink, wink, nudge, nudge from the State Government. I hope the proponents will do the right thing by this icon area of the State at Gantheaume Point. I will monitor the development proposal to make sure that the voice of the local community in Broome is fully appreciated. Many opportunities could be pursued in the locality associated with the racecourse, without damaging the beaches or the point itself. It is a stunning part of the Western Australia coastline that deserves enhancement. It should not be subject to any ugly form of development, particularly any high-rise, Gold Coast type development, which people in the local area live in trepidation of.

The Minister for Energy has crowed long and loud about the tariff benefit that customers will receive from opening up Western Power's distribution network. Members will appreciate that the State Government has slashed the uniform tariffs available previously in country areas for all commercial users. Commercial users of vast quantities of power in remote parts of the State have lost the uniform tariff, resulting in dramatic increases in power charges to them. In response to criticism from me, and at times in a muted form from the National Party, the minister claimed that it was possible that contestability could be part of the power delivery system. This would enable large commercial users to access other suppliers of power at more attractive rates than those currently available through the Western Power monopoly. Like fairy tales in general, and economic rationalism in particular, the rhetoric is marvellous, but in reality it is a sham.

In the north-east Kimberley, the large commercial Kununurra-based power users have expressed a desire to gain access to Ord hydro directly to accrue the benefits of that energy source. The Minister for Energy has stated that his contestability principle would be put into effect in that location. The large commercial users, in embarking on the strategy of trying to gain access to power from the Pacific Hydro scheme, have been presented with an obstacle course of such magnitude in cost and delay that the minister's commitment to competition with Western Power is rendered meaningless. The prospect of the uniform tariff being slashed is a total illusion. The pressure applied to a monopolistic uniform tariff is nil.

The Minister for Energy was asked today by me through a question asked in this House whether he would take the opportunity to present details of what is offered by Western Power in access to Pacific Hydro to deliver power directly to large commercial users. The answer was no - it was pretty much to the point. This was because it was a commercial matter between the proponent and Western Power. This Government's use of that defence to hide its mismanagement of these issues is no longer acceptable to me or the wider community. The answers continues -

The Minister for Energy appreciates that it has taken some time for Pacific Hydro to receive from Western Power advice on costs for the use of Western Power's wires network in the vicinity of Kununurra. After receiving that advice, Pacific Hydro can now proceed in commercial negotiations with contestable customers in the region. The Minister for Energy remains firmly committed to there being an opportunity for supply of electricity on commercial terms from independent power producers direct to those users above the announced contestability threshold in regional areas.

Let us consider what this means. A document from Western Power addressed to Pacific Hydro found its way into my hands. It has an initial response from Pacific Hydro on supply to a large commercial user in Kununurra for power from the Ord hydro power station. We see within this document details of a proposed charge for the installation or upgrading of connection assets for any large commercial users. In this case, the indicative cost was \$2 500. One matter raised is whether a capital contribution for network augmentation would be necessary for a commercial user. In this case, the potential user was down the road a little. The Western Power line has been in place for 40-odd years, so it was not applicable in this instance. Lord help anyone who requires a capital contribution for network augmentation, as it would make such access opportunities more prohibitively expensive.

The document refers to an assessment and access offer, and it details costs. It refers to a cost to assess the application. Pacific Hydro Ltd will need to agree to pay the estimated cost for each stage of the assessment before Western Power will begin the work applicable to each stage. Stage 1 is to establish and calculate applicable access service charges, to confirm standard conditions and any special requirements for network access and to finalise an access offer. The estimated charge from Western Power to complete the access offer is 50 hours' work at \$95 an hour, which equals \$4 750. The costs keep mounting. Regarding the access agreement, Western Power is to charge Pacific Hydro, the alternative power provider, for the cost of drafting and negotiating provisions for the access agreement, and for executing the access agreement. The estimated cost for completing the access agreement is 25 hours' work at \$95 an hour, which equals \$2 375. The costs continue to mount. So far we are up to \$9 500.

We then meet a rider, which reads -

It should be noted that these costs are indicative only; charges will be based on actual hours. If it is found, during the assessment, that the agreed estimated costs are likely to be exceeded, WPC will immediately advise Pacific Hydro Ltd. Pacific Hydro Ltd will then need to agree . . . to the revised estimates to ensure the work continues.

The next paragraph is titled commencement of access services and reads -

In section 4 of your application, it is stated that you would like these access services to commence on 6 September 1999. WPC acknowledge your request and will endeavour to meet this target, given that the outstanding issues have been resolved.

It then refers to prices and charge for access services. Members should keep in mind that this is for access to powerlines which have been in place for 40 years in Kununurra. It reads -

There is a possibility that the Regional access prices will not be published prior to the nominated commencement date for access services (these are currently being reviewed and finalised with the Office of Energy). In such circumstances, the access offer will be prepared using interim prices and the access agreement will be executed on the basis of negotiated interim rates.

Based on the pricing proposals currently being considered by the Office of Energy, the indicative charges for the provision of the requested access services are \$35,000 per annum, inclusive of use-of-network, common services and metering charges, based on . . . 180 kVA.

Is it any wonder that the minister is trying to prevent such information being tabled in the House? Fortunately, it came into my hands. I place it on the record today to challenge the Minister for Energy to produce a proposal that would successfully implement his contestability principle, which effectively becomes a sham in these circumstances. The prospective buyers of competitive power are presented with obstacle courses in costs and delays of such magnitude as to make the Minister for Energy's commitment to competition and lower regional power prices absolutely meaningless. He has crowed long and loud about tariff benefits for power customers in opening up Western Power's distribution network. Like fairy tales in general, and economic rationalism in particular, the rhetoric is marvellous, but in reality it is no more than a sham.

Large commercial users in Kununurra want Pacific Hydro to provide power using Western Power's distribution network as

per the minister's rhetoric. The prospect of the uniform tariff being smashed and effectively being replaced by competitive prices which would be available to large commercial users is simply an illusion, not a reality. I expect Pacific Hydro will recognise in that offer from Western Power a document that displays that this Government is not serious. Western Power is left in a position to dominate the distribution of power even in areas where there is an alternative major provider like Pacific Hydro and where the old distribution network, the reticulation of the power throughout the township of Kununurra, will be billed out at top dollar by Western Power to prevent any independent access by commercial users to the alternative power provider. That does not augur well for large commercial users of electricity throughout Western Australia. It does not augur well for the regional parts of Western Australia. The damage that is now being done to the potential large users of this renewable energy source in the north east Kimberley spells the death knell for alternative, cheaper energy sources becoming available to large users of electricity in the west Kimberley, no matter what scheme is taken on board; whether it is the tidal power scheme or the gas schemes that have been selected by the minister. I join with the local community of the north east Kimberley in condemning the minister and the Government for the damage they are doing to the towns in that region.

The Government is clearly out of touch with the needs of these communities. It is focused on its belltower, museums and immovable edifices, which represent its paralysis in policy. It is spending hundreds of millions of dollars on such projects. The belltower and feel-good convention centres may generate some jobs, but what sort of jobs? What will the youth of Western Australia aspire to as a result of the implementation of the policies of this Government? When I grow up I want to be a ticket collector on Richard Court's belltower project! Is that the aspiration that is to be inflicted upon the youth of today? Are they to be paid a minuscule youth wage until they are sacked at 18 years and dumped on the scrap heaps that this Government delivers to the work force of Western Australia? Will they be ticket collectors at these edifices, museums and monuments reminding people of this Government's period in office? The State Government is offering no vision of real participation in the economic prosperity of this State which we could and should legitimately place on offer if there were a competent and caring Government in office. The self-indulgent construction of monuments in the central business district and the pet and posturing projects of the Premier are all that is on offer from this Government. Where is the Government's investment in new technology for fostering smarter, state-based, economic activity, which offers a real prospect of real jobs which will benefit the skills, self-esteem and quality of life of the employee and bring lasting benefits to the whole of our society, including people who live in the regional parts of this State?

This Government regrettably cannot even fund the teachers necessary to ensure that this State becomes a smarter State with children equipped with the skills, schooling and education standards that are necessary in regional parts of this State before they can have any real prospect of joining the work force and going through the training programs and higher education opportunities that are necessary to guarantee participation in a modern economy, which we desperately need to become. It is positively late Roman when a Premier struts around like some sort of Caesar, building monuments to himself while the ordinary citizens of the State are left to flounder in the absence of real economic activity benefiting them. This Government cannot even fund a health system that meets the needs of the ordinary Western Australian community. Hon Greg Smith knows that. We have seen what happens when this Government fails to adequately fund the nursing post with which the Mt Magnet community has been left. Hon Greg Smith has seen an absence of funds to that health centre reduce the capacity of that nursing post to deliver even a functioning defibrillator when someone suffers a heart attack. Whether it is a prominent citizen of the community or someone who is not or whether it is someone who will or will not survive, the person should be able to be treated with functioning emergency equipment when he or she walks into a nursing post or a hospital in this country. The Mt Magnet nursing post is not even equipped with a functioning defibrillator. Faced with a defibrillator that does not function, hard-working nursing and medical staff compete to protect the lives of the citizens of our towns. They do this with emergency equipment that does not work while a prominent woman of this State effectively lies dying and then dies on the slab of a nursing post in our electorate. It is an utter disgrace and a condemnation of a Government that can so strip the health budgets of this area to leave emergency equipment unavailable to people in critical health situations. In that case, we lost one of the great artists of our State tragically, as we were faced with a defibrillator that did not work. Even if she would not have survived that severe heart attack, we are all entitled to expect the defibrillators to work when we walk into a hospital or a nursing post. When the budgets of our health system are stripped, it is no wonder that the regional parts of this State are up in arms at the disgraceful way the Government treats these essential core services and obligations. However, it builds belltowers. Damn its belltower! It should give us some functioning hospitals. It should give us some functioning schools. It should give us some funded police stations. It should give us some public transport in this State. Damn its belltower!

Mr President, I was momentarily distracted from what I was saying to the State Government. It cannot even fund the train line to Rockingham, which is the pet project of one member. It chooses belltowers, convention centres and museums - a museum located in an unsafe position in the major port of Perth. I am totally unattracted to the notion of another museum for boats. The last thing this State needs is another museum for boats. If there is anything more passe in the cities of the world, it is museums for boats. Every capital city of the world has these damned useless monuments to the maritime industry that I cannot appreciate. I am not stating party policy. We must have some projects that will benefit the community in this State. How on earth this Government thinks that the creation of yet another boat museum will make one more buck for this State has me beat!

Hon Greg Smith: It is like the Miners and Prospectors Hall of Fame.

Hon TOM STEPHENS: It makes sense. It is something unique and distinctive about the Western Australian community. There is nothing distinctive about another boat museum that houses *Australia II*. We have some very distinctive and unique parts of our social fabric in this State, but boat museums will not attract one more international or interstate visitor to this State than it gets currently.

This Premier is a yachting Premier. Therefore, he has a preoccupation with boats. I wish he would get on one of those yachts and sail away and leave this State so that it can be returned to the hands of people who are capable of governing it and of putting in place infrastructure that will benefit the economy of this community. A maritime museum, particularly one that is positioned in an unsafe way in a major port in this State, will not contribute to the economy of this State.

Hon B.K. Donaldson: I have never known you to be so negative!

Hon TOM STEPHENS: I am recommending to the Government that it embrace what is quintessentially Western Australian and is distinctive and unique to our community, and that it not simply replicate what is done badly in most parts of the world and is done boringly in most parts of Australia and does not attract one single more international visitor to this country. The Premier wants to deliver to this State another boring boat museum, because of his penchant as a yachting Premier. The alternative is to showcase what is excellent and distinctive in this State.

Hon Ray Halligan: Bring the people into a convention centre. That is what they want.

Hon TOM STEPHENS: We have much that is unique and distinctive.

Hon Greg Smith: What do you suggest we build?

Hon TOM STEPHENS: Hon Greg Smith has made one suggestion. That would be a great facility. Convince the Government! At the rate members opposite are going, they should build a museum to trees, because they will be a scarce commodity by the time they leave office! We will need a tree museum, because trees will be things of the past. If members opposite are left in office for much longer, people will want to know what were karri and marri trees, and what did the forests look like. Members opposite should whack the trees into a museum before they are finished with them all! If members opposite wanted to find some other distinctive features of the Western Australian community, the Aboriginal material culture of this State is among the most interesting material culture that could ever be put on display.

Hon Greg Smith interjected.

Hon TOM STEPHENS: I commend to the Government that it embrace a strategy that -

Hon Greg Smith interjected.

The PRESIDENT: Order! Firstly, it is pretty obvious that the member who is speaking is not entertaining interjections at the moment. What is happening is that two members are speaking at the same time, and that must be very difficult to record with any accuracy. In due course, Hon Greg Smith will be given an opportunity to reply to the various issues being raised by the Leader of the Opposition, and I ask that he contain his statements until that time.

Hon TOM STEPHENS: Much could be done by a Government that had its priorities set in the right direction. Unfortunately, this Government is not of that ilk. The Government could make a commitment to providing a faster and cheaper public transport system in the southern suburbs, but instead we will all be able to stand on the banks of the Swan River and listen to the bells ringing. The improvement in the quality of life under the Court Government and the social dividend we will get will be the sound of the new bells ringing in our ears - ding dong, ding dong.

Hon B.K. Donaldson: We have got them here!

Hon TOM STEPHENS: The prospect of having a belltower as our social dividend does not turn me on, and it does not turn on the community of Western Australia. The RFA process also sums up the essence of this Government: Keep it secret, do not consult, and ram it through. That has been the style, custom and practice of this Government since it has been in office. That is a guaranteed recipe for stuffing it up. The Government may have done the same thing in its handling of the Gantheaume Point project to this stage. I hope for the sake of the proponents that there is some chance of turning that around. The Western Australian public has every right to decide that to cut a swathe through the last 10 per cent of old-growth forest is not acceptable, and it has so decided. It is now up to this Government to listen. People are legitimately entitled to ask: Who on earth does this Government represent - the residents of Western Australia, or the woodchipping shareholders? Whose interests in the end is the Government committed to serve?

The Government promised that Western Australians would get underground power. The Energy minister has crowed that Western Australia leads the known universe in the retrospective undergrounding of power, and that not since the Romans put plumbing underground 3 000 years ago has any known civilisation undergrounded powerlines to such an extent as is now on offer from this minister. That is a mighty claim, and there may even be a grain of truth in it, but only for people living in the Energy minister's Liberal-held electorate and those in other parts of the western suburbs of Perth. Western Power is bursting at the seams with a pre-privatisation profit of \$100m, which it will not part with, not even to the large commercial users, nor to the small householders of Western Australia. This Government is putting basic underground power into the leafy western suburbs of Perth but out of the reach of the majority of Western Australians. That is a great tragedy for the people of Western Australia.

Hon B.K. Donaldson: Can you talk about infill sewerage?

The DEPUTY PRESIDENT (Hon J.A. Cowdell): Order, members! We have so far avoided infill sewerage. Members should not bait the Leader of the Opposition.

Hon TOM STEPHENS: The Government's Safer WA program has been a tremendous and unqualified success if we measure success by photo opportunities, but not if we look at the impact on the quality of life of the victims of crime in this

State, of which there are far too many, and who grace the pages of our newspaper with horrific photos of injury and damage, loss of life, loss of health and loss of appearance.

Hon Dexter Davies: There are too many, but all of the statistics show that the number is falling.

Hon TOM STEPHENS: Regrettably, the Government's own crime figures show that the armed robbery rate is up by 180 per cent and the assault rate is up by 43 per cent, and that Western Australia has the highest sexual assault and motor vehicle theft rates of all the States. In the Premier's electorate, crime rates are down and property values and income levels are up. However, for the people in the remainder of the West Australian community, too frequently crime is something that they have to put up with under this Government. The impact of crime upon that community is not acceptable and would not be acceptable to a Government that had its priorities right. The Premier's preoccupation with a belltower means that he has not even given the Police Force the capacity to fight crime. The Premier should give the police whistles if he will not give them resources, but he should at least give them something that will enable them to do their job. The Government has created effectively two classes of Western Australians. A tiny minority of privileged people who are on high incomes and live in the low crime western suburbs of Perth will have underground power and the prospect of the belltower on the banks of the Swan River, and will have the opportunity of benefiting from the strategies that are delivered to the company directors and to the 6009 club.

Hon B.K. Donaldson: Which club?

Hon TOM STEPHENS: The 6009 club that seems to dominate the membership of the Liberal Party and the decision making of this Government. However, when it comes to postcodes in the eastern suburbs, the story is more grim. That other part of Western Australia is chock-a-block full of assaults, illegal prostitution and power poles to crash stolen vehicles into, with no job security, and with no belltower to ring within earshot and improve the amenity of their lot. This Government allows a Western Australia where Aboriginal people at the age of 50 are dying at twice the rate of non-Aboriginal people. Members opposite might think it funny but I do not.

The DEPUTY PRESIDENT (Hon J.A. Cowdell): Order! The Leader of the Opposition should address the Chair rather than incite the government backbench.

Hon TOM STEPHENS: This Government fosters and underfunds an education system where Aboriginal students have the highest rate of dropping out. The Governor's speech should have been about setting priorities. It was not about real priorities because this Government effectively has so few. I have been receiving calls, faxes and responses to my electorate office over the past couple of days in response to a survey that I sent out across my electorate seeking input on what are the priorities of my community and the issues that should be spelt out in this Parliament. Over the coming weeks I will draw on each of those examples to illustrate how this Government has got its priorities wrong. Whether in the goldfields, around Kalgoorlie, Carnarvon, Mt Magnet or Meekatharra or up through Karratha and beyond into the Kimberley, the communities are singing out with a very loud voice that this Government has got it wrong. If people from those communities had the misfortune yesterday of being here to listen to the Government's program, they would have heard expressed their worst fears and had them emblazoned in their minds as the Governor delivered the speech that displayed that help is not in sight and that this Government still has its misplaced priorities all fully set. The Deputy Premier has been muted; the National Party has been neutered. The end result is that there is only one solid, clear voice for the Western Australian community telling this Government that there is another way of doing things in this State. Regrettably it would appear that the people of this State must await the arrival on the Treasury bench of a Labor Government filled with the determination to deliver to the Western Australian community that which will prosper the people of this State in such a way as to make sure that the hardship that they experience -

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon TOM STEPHENS: Clearly they will not get that from this Government. Regrettably it will be delayed. If there were the opportunity for that day to arrive more speedily, I would be pleased if it were to be delivered to us. Put the Premier on his yacht and sail him off to the museum and beyond, but get him to put in his resignation before he goes.

The DEPUTY PRESIDENT: Order! I feel that the Leader of the Opposition is trying to wind up his speech but members are encouraging him to continue.

Hon TOM STEPHENS: There is an alternative: The Premier could recognise that it is all too hard, that he has effectively given up and that his Government cannot get it right. He should do the decent thing and resign.

Hon Dexter Davies: We have no alternative.

Hon TOM STEPHENS: There is a decent alternative in a Gallop-led Labor Administration that will serve this State proud with a solid team of performers who will produce for the State of Western Australia prosperity that will be shared.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon TOM STEPHENS: It will be a compassionate Government that will make sure that the industry reorganisation that must inevitably go on is done compassionately and that taxpayers' funds are spent appropriately rather than on belltowers, tunnels and monuments to this Government, which does not seem to know enough is enough. Enough is enough; it should

give these things a miss and get back to re-establishing priorities in keeping with the needs of the Western Australian community.

HON KIM CHANCE (Agricultural) [8.15 pm]: It is always difficult following the Leader of the Opposition. This instance is no different. Although the Leader of the Opposition is known to us all as a generous and compassionate man, he has been slightly harder on the Government, the future Opposition, than I would have been. I have some sympathy for government members. Having been, albeit briefly, a member of a party which was in government but was rapidly losing its grip on government, I know exactly how they feel. They must feel now as I felt in 1992.

The expression that is often used for a Government that is in its destructive phase and sundown years is that the tide is going out for it. It is really a sad thing. I feel a great deal of pity for government members who can see the tide going out. The syndrome of the tide going out is distressing because as the tide recedes members can see it ebbing away from them. They can see their future in government ebbing away and they can do nothing to stop it. There is an even worse analogy; that is, the comparison of a person stuck in quicksand. It is more accurate. We all know that if someone has the misfortune to be caught in quicksand, the more he struggles to get out the deeper he sinks. I give government members credit for their perceptiveness: They are well aware of the quandary they face and are trying desperately hard not to struggle, so much so that the Chamber of Commerce and Industry of Western Australia is saying that this is a do-nothing Government and that it should get out and do something. Government members know that every time they struggle they dig themselves in deeper. It is not entirely their fault; I do not blame them. As I said, I am sympathetic towards them, having been through that experience. The more one tries to dig oneself out of trouble, the deeper one goes in.

The changes that were made to the Regional Forest Agreement only six weeks after it had been certified are a classic example. The Government and the Premier thought they were doing the right thing. They tried hard to rescue a situation that they knew had gone bad for them. From a situation in which possibly two-thirds of the people did not like the RFA, they ended up with an RFA which pleased no-one.

Hon Greg Smith: That is a classic example of trying to please everybody and pleasing nobody.

Hon KIM CHANCE: I thank the member for illustrating my case; that is exactly the case. I know that the Premier, the Cabinet and probably the whole joint party room thought that they were doing the right thing. In a situation like that, people end up pleasing nobody. A federal parallel is the Howard-Lees deal on the goods and services tax. We had a GST which maybe as many as half of the Australian public supported. They supported the simplicity and directness and the relative efficiency of collection with that goods and services model that had been presented to the Australian people at the previous federal election. What did we get in the end? We got a more complex model whose simplicity and compliance costs have been compromised. That is an important issue bearing in mind the British experience.

Hon B.K. Donaldson: If your federal colleagues had supported the easier GST, it could have gone ahead.

Hon KIM CHANCE: I do not disagree with the member. I have a difference with the federal Leader of the Opposition on this point. I much preferred the position that was taken by Paul Keating when in the 1993 election he said that if the Australian people supported the Government's proposal, the Fightback proposal in that case, they should not look to the Labor Party to defeat it in the Senate. That was a very courageous but honest position. Kim Beazley had a different view. I am not saying his view is less honest, but it is a more difficult position to uphold. He said to the Australian people that if it was a finely balanced thing - and it was - we would try to fix it in the Senate. In our terms, fixing it was neutering it entirely. The deal ultimately done with the Democrats then brought on an entirely different form of the goods and services tax that, as I have said before in this place, was an unnecessary and possibly even unworkable compromise. I do not like the idea of a GST; I have always opposed it, but if we are to implement it we should do it properly. Unfortunately we have lost that opportunity.

They were issues I had not intended to go into. I have a much more formal speech that addresses the motion moved by Hon Ray Halligan for which I am pleased to announce my support.

Hon Greg Smith: A wise observation.

Hon KIM CHANCE: Thank you. The Address-in-Reply to the speech by His Excellency the Governor is a landmark opportunity for members of this place to review not only their own direction but also that of the Parliament. It is also an opportunity to look forward and to forecast the State's direction and the part that we as members can play in that and the part that the Parliament itself will play in influencing that direction. I have always regarded the Address-in-Reply as a time to take stock and to review my own priorities. If that sounds self-indulgent, it is not meant to be, because I believe that the same function is applicable to the whole of the Parliament and not simply to its members as individuals.

I begin in the same way that His Excellency did by noting that two former members of Parliament died during the term of the last Parliament. I did not have the pleasure of meeting George Yates, although from the few facts the Governor relayed to us in his speech, it is apparent that he was a man who had a distinguished record of service to his country in his military life and to the State and this Parliament in civilian life. A record of his achievements stands in the City of Perth right now.

I did of course know the late Hon Margaret McAleer. She was among the first of my parliamentary colleagues from the Agricultural Region and I came to count her as a friend. She had a quiet and persuasive way, and a dry, sometimes wicked, sense of humour that made her an unforgettable character. I had the pleasure of being in Margaret's company on too few occasions after her retirement from this place, but it was always a great pleasure to catch up with her and to renew our acquaintance.

His Excellency referred to the impending reform of the commonwealth-state financial relationship. I agree with the

Governor's statement that what we are about to see is the most significant change in this direction that this nation has seen for decades. Both Labor and coalition Governments in the States have suffered from the rigidity of the present funding arrangements for years. Those arrangements, if we were trying to describe them in one word, are largely mendicant in nature. The prospect of giving States access to a growth-responsive revenue source, thus overcoming the problems associated with vertical fiscal imbalance, is certainly a seductive prospect.

However, I am concerned that we have allowed ourselves to be seduced and that the reality of the financial return to the State arising from these reforms will not match the sometimes glowing expectations. There seems to be an element of mystery involved. Indeed, His Excellency referred to this when he said that in the longer term the new tax regime would give the State a growing and assured source of revenue to fund its services. It is the likely outcome of those first four words of that part of His Excellency's statement that gives rise to my concern. If the benefits will not be achieved until the longer term, what will happen in the short and intermediate term? How long will it be before the benefits, if indeed they are to occur at all, become apparent?

In the interim, must some of the state charges that were promised to be removed remain in place until the longer term benefits materialise? Did the State buy a lemon when the Government agreed to sign the Intergovernmental Financial Agreement? Was the agreement locked in before the decision was made to exempt food? If not, did the agreement contemplate food being excluded? What difference has that decision made to the Government's ability to deliver adequate budget outcomes? That is a long list of questions. I do not believe that the State Government is in any position yet to provide an adequate answer to those questions. Indeed, when the Minister for Finance has been asked questions that were in the same genre, he has been unable to give an unequivocal answer. Given that, I must ask why our Government was so supportive of the intergovernmental agreement when it knew so little about its outcomes. It may well be that even after the introduction of the goods and services tax, and the intergovernmental agreement, we remain as mendicants because the share of revenue from the GST is simply insufficient to meet the State's needs.

The agreement was bought by the Government on the basis that the provision of the State's share in a growth-revenue source was inexorably tied to the introduction of a goods and services tax. It was, in a sense, used to blackmail the States, in particular the Labor States, into some level of support for the goods and services tax. In fact there was never a need for the goods and services tax if the object was simply to make growth revenue available to the States. That object could have been achieved by a variety of means from the Commonwealth's present tax base. We are talking here not about the collection of a tax but about a means of sharing tax revenue. In fact, the source of revenue is totally irrelevant.

The States could have been, for example, just as easily granted a share of income tax revenue on a guaranteed basis. Indeed that seems to be a much more attractive proposition because then at least we would have known with some certainty where we were going. The path would have been clearer under a regime of that nature than it is now. However, if the twin concepts of the goods and services tax and the intergovernmental agreement are not interdependent, we need to look at the goods and services tax as a separate issue rather than confusing it with the outcome of the agreement, as we seem to be doing.

The goods and services tax is not a fair tax. It discriminates against lower income people, particularly those lower income people on fixed incomes such as self-funded retirees. It most certainly discriminates against country people because it is to be levied on the retail price rather than the wholesale price. It may seem trite for me to say this, but it is true that retail prices in the country are invariably higher; therefore, the amount of tax paid on any tax using the retail price as a base will be greater by country people than by anyone else.

I believe more importantly that this is a tax that is wide open to profiteering. Some ludicrous claims are being made, mostly in paid advertising by the Federal Government, that it has a means of controlling profiteering. What absolute, arrant nonsense. The fact is that we have no price control legislation in this country that can be used in any way as a sanction against profiteering. Indeed, in the good old days we used to knight people for profiteering. It is a national sport.

The only mechanism that is available to the Australian Competition and Consumer Commission through the Trade Practices Act will effectively be limited to the oversight of large companies only. I cannot imagine Professor Allan Fels, for example, intervening because a corner supermarket is overcharging by 20¢ or \$1 on the price of a jar of coffee. It simply will not happen.

I am also appalled by the dishonesty that has been used to sell the new tax. We have been told that because the goods and services tax will be levied at only 10 per cent, many goods which are currently subject to a 22 per cent wholesale sales tax will be cheaper. We are left to conclude, though, that they will be 12 per cent cheaper; that is, 22 per cent minus 10 per cent. What people are never told is that that is not the case. The new 10 per cent retail tax may well result in goods being more expensive than they were when a 22 per cent wholesale sales tax was levied. I will give an example of that. If an item has a wholesale price of \$4 and a retail price of \$10 after adding the freight charges to the price of that item, the wholesale sales tax component would be, at the rate of 22 per cent, 88¢. If that 88¢ is subtracted from the retail price and the goods and services tax is calculated at 10 per cent, the tax is 92¢, which is 4¢ more than the apparently dearer wholesale sales tax. It is a case of, on occasions, less being more. However, when a 10 per cent GST is compared with a 22 per cent wholesale sales tax, we must be absolutely certain that we are not comparing an apple with an orange, because so often that is the confusion in people's minds.

This is clearly a regressive tax. It is a tax that hits the previously untaxed services sector. It hits the poor, the isolated and those who are already exploited. The rich, however, get huge pay-offs. I can understand why a sector of Australian society has been so desperate to get the GST, in any form, launched. The rich get even lower income tax rates, they get cheaper luxury cars, and they get the promise at least of future business tax breaks.

We are often presented in this place with regressive legislative changes that are dressed up and sold as reforms. I will make my position on this so-called tax reform entirely clear. If the changeover to GST is to be a revenue neutral situation, and if person A pays \$1 000 less as a result of the tax reform, it is inevitable that somewhere in the community there will be a person B who must pay \$1 000 more; otherwise it would not be revenue neutral. To me, that seems so simple and easy to understand.

Hon M.D. Nixon: There could be cost savings; that is the other factor.

Hon KIM CHANCE: Yes, there could be compliance cost savings. That is one of the reasons I was so keen, if we are to have a GST, to have the simplest GST possible, because it is not necessarily cheap to collect similar value added taxes in other countries. I acknowledge that they can be cheap and simple to collect, but the more one builds in various levels and various exemptions, although that is the simplest form of a multilevel value added tax, the more expensive the compliance cost becomes. I will illustrate that by an example in my home town in which there is a small Four Square store. It is a busy little store, with a good business and a good employer.

Hon M.J. Criddle: Which town is that?

Hon KIM CHANCE: Merredin.

Hon M.J. Criddle: It is a big store.

Hon KIM CHANCE: The Four Square store is quite small. It is a little suburban store in south Merredin. A big supermarket, which is a very good one, is in the middle of town. Obviously, these stores compete, but the Four Square store does a large amount of its business on Sunday. They sell equivalent products, although, obviously, the range is different. The owner of the Four Square store openly said to me, so I do not mind repeating it here, that he is a supporter of the GST. I accept that and I still shop there. However, he said that as a result of the changes, the cost of his software package to deal with the compliance issues that now arise will be the same as that faced by the big supermarket in town or a Coles Myer store in Perth. The package will be much the same, and it is quite expensive. That is an unnecessary cost. That is only one example. However, when one examines the outcomes of the VAT in Britain, before some of the early problems were solved the collection cost of VAT for small business was in the order of 47 pence in the pound. That is really scary, because the success of the Australian taxation system - I am one of those who argues that it has been a successful system - has been in its simplicity and in its ability to off-load to the private sector the cost and the responsibility of compliance. That has been well established in what is probably still the best pay-as-you-earn system in the world.

Unfortunately for Australia and unfortunately for PAYE taxpayers, as each of us is - we can be united on this point - our efficient PAYE system has led to an over-reliance on it. The result of that and the real flaw in the Australian taxation system is that, as a percentage of the total tax paid proportionate to the amount of revenue produced in this country, PAYE taxpayers are paying an exorbitant amount relative to business taxpayers. We have a problem. Wage and salary earners are paying a disproportionate amount of the tax. However, will we solve that by going to a system which will not tax goods at a much greater level than the wholesale sales tax system did - it may even simplify the wholesale sales tax system - but which places a new tax on services? I do not know that the system will be made any fairer.

In a revenue neutral situation, apart from giving taxpayers the option of whether or not they pay the tax - I will always accept that as a cogent argument - is the system any fairer? If people do not want their plumber to be a taxpayer for them, they fix the plumbing themselves and they do not have to pay the tax. Therefore, people have that option. However, given the revenue neutral nature of the GST and acknowledging that for every winner there must be an exactly equal loser, the only way a judgment can be made about whether this is a fair system is to examine, on the one hand, those classes of people who have opposed the GST and, on the other hand, those classes of people who have supported the GST. They may be wrong in their collective assessments, and I will not attribute a value of right or wrong to their arguments because I am not qualified to do that. However, it tends to be lower-income people who feel that they will be worse off as a result of the GST and are thus opponents of it. It tends to be higher-income people who feel that they will benefit from the GST and who tend to be supporters of the proposal.

Hon Ray Halligan: Do you think it is because of a lack of information that the lower-income people are somewhat opposed to it?

Hon KIM CHANCE: The amount of information which has been made available on the GST has been broad, and similar information would be available to both sectors. I am not one of those who says that the information on the GST, after all these years, has been lacking. Sometimes it has been inaccurate, but it has been equally inaccurate from both sides. I think the availability of the information has been pretty fairly distributed. However, people have come to a conclusion about their position, and I am one of those natural democrats who has always argued that although individuals will sometimes make terrible mistakes and terrible misjudgments - I am usually a leader in that field - as a group, people tend to make accurate judgments, and the collective view is almost invariably correct. In this case they have made a very correct and accurate assessment.

Hon Ray Halligan: I am not so sure of the accuracy. I think you might find at this point in time it is more subjective than objective.

Hon KIM CHANCE: So many of our judgments are based on the subjective. When the Minister for Finance is not sure about the objective outcome of some of the dynamics of a goods and services tax, it is a little hard to expect a farmer, businessman or wage earner to be any more accurate. However, to the extent that we can be objective, people have come to that view. The losers will be the poorer Australians, the winners will be the wealthier Australians. To illustrate that,

members should look at the price of a Porsche or a Mercedes Benz, a \$300 000-\$350 000 car currently levied at 47 per cent sales tax. It will not be levied at anything like that. It will be more than 10 per cent - I acknowledge that and the Government should be congratulated for seeing to that very quickly - but at the same time as a result of the GST, that Porsche or Mercedes will be considerably cheaper than it is now and by some thousands of dollars. Those thousands of dollars must be made up somewhere given the revenue neutral nature of the scheme. The shortfall will be found at the lower rather than the higher end of the wage scale.

We are getting into more uncharted territory but I understand the business tax side of the new taxation reform package will be revenue neutral within its own segment. That is the latest thing I heard from the federal Treasurer. That is fine and I look forward to something innovative coming out of it. However, when I look at some of the trade-offs in the revenue neutral adjustment of business tax, I am concerned. I note that the Premier is also concerned about the effect this could have on Western Australia. The trade-off on company tax for accelerated depreciation will hurt a developing State like Western Australia very badly. Given the State's heavy reliance on mining, we will probably be hurt more than any other State. I encourage the Premier to be firm on the view that Western Australia's interest cannot be compromised in that way.

Hon W.N. Stretch: I am pleased to hear you say that because I believe the business taxes are impacting very badly on people at the lower end as well.

Hon KIM CHANCE: Quite. Our people cannot get a job with a mining company which is driven out of business because of a lack of accelerated depreciation. Even if we were not a developing State, the importance of accelerated depreciation to the economy as a whole cannot be underestimated. These are the issues which drive new investment in business. It is very comfortable to be able to say it would be nice to have a lower rate of company tax, but in the end that only favours an already established company; it is much more important for a company which is going out and doing things, developing new projects and jobs to have access to accelerated depreciation.

Hon M.D. Nixon: The problem is if one country's taxes are higher than another country's taxes, companies will choose to pay their taxes elsewhere.

Hon KIM CHANCE: Indeed. That was Paul Keating's argument when he led the major drive downwards on company tax. It is interesting that only two Governments in Australia have reduced taxes. One was the Hawke or Whitlam Government and the other was the Keating Government. They were both Labor Governments and the only two Governments to have driven down business tax. I also remind members who represent the business sector that imputation on dividend income was another achievement.

Hon Ray Halligan: Unfortunately individual tax has tended to go up through bracket creep.

Hon KIM CHANCE: Yes. The first Government which does something to address bracket creep will be an extremely popular Government. It will also be very honest and unfortunately in Sir Humphrey terms very courageous. That is what growth revenue is about; it is not about the economy growing but harnessing inflation for the public purse.

I will leave that question there. I did not intend to waffle on about taxation all night. In this place we are often presented with regressive legislative changes which are dressed up and sold as reforms. We certainly saw that in the industrial relations amendment legislation. I recall in that debate the Attorney General berating the Opposition as the conservatives in the argument and presenting the Government as reformers. Most of us were so taken aback by that accusation that we did not really know how to respond. Months later, I will put my case. What the Attorney General did not understand then and may still not entirely grasp is that an agent for change - change which actually takes people backwards - may well be an agent for reform but cannot argue to be a progressive force because in its truest sense reform, while usually progressive, can be regressive. On the other hand, those who oppose a regressive change may well be anti-reform but by the same token are progressive in their intent because they are attempting to defend a more progressive and fairer system. That was certainly the case in the industrial relations debate in this place. It is also true of the goods and services tax. The Australian people have assented to this new tax by the narrowest of margins even though half of the government side of the Senate which ultimately allowed it was elected on a ticket of a promise that there would "never, never" be a GST. We are now stuck with a new tax which is already fundamentally different from that presented at the last federal election. The changes to the application of the tax to fresh food have partly disabled the integrity of the package. This change is causing the current doubts about whether the agreement can deliver on its original intent and its commitment to the States. While I have always been opposed to the tax, it has been my consistent view that if it is to be given a chance of working, it must be simple, all inclusive and cheap to administer. It is now less able to deliver on any of those three criteria.

While we are reviewing our direction as a State, it is appropriate to consider how much our workplaces, our community and our society in general have altered during the term of the current Government. Is it a different place? Is it a better place? If so, where is it better, where is it worse? Did the proposed solutions work? Did they fail? Why did they fail? Why did they work? Are we better off or worse off? Obviously those questions are very subjective but that should not prevent us from attempting to be objective about searching for the answers. Objectively there are areas in which Western Australia is a better place than it was in 1992 and it would be silly to suggest otherwise. Our economy has been in a rising cycle for most of that period and it is not surprising that some areas are better. In administration, the Government can take pride in parts of the health service; I particularly cite women's health and mental health. Those services are markedly better as a result of the intervention of two successive health ministers, Hon Peter Foss and Hon Graham Kierath. However, I believe the seeming continual process of reconstruction in the Health Department is costly, destabilising and is responsible for the wasting of huge amounts of Health Department resources. The Health Department had already been through a fundamental restructure under the Labor Government and had been successfully converted to a regional management structure which was soundly based, responsive and very efficient. On the election of the coalition Government, the department was turned inside

out in a later aborted attempt to introduce the funder-owner, purchaser-provider model. That was subsequently abandoned by a new minister who introduced a system of district management with extensive management devolution. Country health services are still trying to come to terms with that. Yet another Minister for Health took an entirely different tack, reversed the concept of devolved management and centralised the management of a number of different health services within a single paid board. That concept is so new that the Parliament is still to legislate to legitimise a process that has been in place without legislation and remains illegitimate and possibly illegal.

His Excellency the Governor referred to the Hospitals and Health Services Amendment Bill 1998 in his speech yesterday, but that Bill was dealt with in the Legislative Assembly months ago. It was introduced in this place months ago and at one stage had reached fourth position on the Notice Paper. It then fell to No 23, subsequently became No 35 and then disappeared off the map without apparent trace or cause; certainly no explanation was provided. The Bill then resurfaced in the Governor's address at the opening of this Parliament. It was referred to as an innovation that would occur. We are yet to see it. I think it was the subject of message No 1 today, but what on earth happened to it? Why was it dealt with in that manner? I have been ready to deal with the legislation for months, and nobody has had the courtesy to tell me the reason for pulling it out of the priorities. What has happened to the issues that so desperately needed to be addressed at the time it was introduced with all its fanfare? Sometimes it is frustrating to sit on this side of the House and be told that legislation is so urgent that we must sit until three o'clock in the morning to pass it, when the same Bill has been languishing between the Houses or on the Notice Paper in one of the Houses for months without apparent attention.

To continue the saga of the reorganisation of the Health Department, in answer to a question I asked at the end of the previous session, I was told that the managerial authority for a particular decision had been drawn from the Government's adoption of the FOPP model, which I thought had been abandoned in 1995. If I admit to confusion in this process of continual and apparently pointless change, imagine the cost it has imposed on a department as monolithic as the Health Department of Western Australia. The end result is demonstrable. The Health Department has lost its best and brightest people; it seems to be totally without direction; it is operating a number of different management systems; and it seems to be trying to operate those different, and sometimes entirely competing, management systems concurrently. Some outcomes of this management revolution have been spectacular failures. The orderly services at Sir Charles Gairdner Hospital are an example. After a long and prodigiously expensive consultant's study, carried out by Booz Allen, it was determined that the orderly services would be better provided by the private sector rather than in-house. The change was made, again at a prodigious cost, and it was tried, both with and without thongs, and then dumped as a failure.

That process of change for its own sake is not limited to the Health Department. It has decimated Agriculture Western Australia, which was formerly one of the great departments in the Western Australian Public Service. It is now a shell of its former self and seems focused on a commercial role which duplicates that of the Department of Commerce and Trade, and does so without any oversight or accountability for its commercial and quasi-commercial activities.

The Department of Commerce and Trade allocated more than 10 per cent of its budget to a completely unnecessary hand-out to an abattoir operator from New South Wales, apparently in breach of the revamped guidelines it established for such a system. That revamp followed an earlier scandal with a misallocation under the regional employment development incentive scheme. Despite the huge scale of that investment, it rated not a single line in the *Budget Statements*. It took 10 per cent of the department's total recurrent funds, but the *Budget Statements* contained not a word about the disposition of those funds. In the estimates hearing I asked the obvious question: Why had it occurred? The only explanation I was offered was that the department was not aware of the investment when the budget papers went to print. I went to *Hansard* tonight to check this because I could scarcely believe my recollection. At page E652 of *Hansard* dated Thursday, 3 June 1999, I asked a question which was answered by Mr Muirhead, the chief executive officer of the Department of Commerce and Trade -

We were not aware at the beginning of the year when working on the current year's funding that this funding would be required.

He was talking about 10 per cent of a large agency's recurrent funds. Mr Muirhead continued -

With industry incentives, some come out of the blue, some we chase and sometimes organisations approach us directly and indicate they are interested in establishing in WA, but need assistance either to make their business competitive with an international location or to reduce the cost of moving to a new location.

It is absolute nonsense. The real tragedy is that we are expected to believe that the Department of Commerce and Trade was not aware that this would happen in time for it to be recorded in the *Budget Statements*. The dogs had been barking this deal for four years. In the other place the Minister for Commerce and Trade conceded that he had had a number of meetings with the Fletcher Group, including meetings at the Dubbo, New South Wales headquarters. Did nobody tell the department that 10 per cent of its recurrent budget had gone on this deal and that perhaps a line should be dropped into the *Budget Statements* indicating what it was doing? It is absolute nonsense.

We were told by the Government that its drive towards greater levels of privatisation, contracting out and outsourcing would deliver lower costs and an improved level of service. What did we get? After some years' experience, approximately 20 000 jobs have been lost in the public sector and state charges have increased. Ask people about their water charges. We hear endless complaints about poor service levels, but we achieved a debt reduction from the sale of assets. That reduction must be balanced with the income lost from those assets, as only assets which generate profits can realistically be offered for sale to the private sector. Have we gone anywhere in this deal?

I went back the other day to read some of the McCarrey report, as I remembered a statement in that report which identified the potential outcomes to be derived from a range of privatisation initiatives. Unfortunately, my research of that report did

not unearth the statement I was looking for. I suspect that the statement might have made reference to the report, rather than being by McCarrey himself. However, we have not achieved the direction and benefits made from this level of privatisation and contracting out which had been predicted by the Government. Any objective measure could conclude only that we have done no better than hold the ground. Certainly, individual privatisation outcomes have been beneficial, but these are limited, and balanced in too many cases by negative outcomes; therefore, no positive difference has been made to the quality of public administration in this State.

Governments need to be free to implement their ideas, and Governments have a right to govern. This Opposition has demonstrated in practice that it shares that view. This Opposition has thrown out only one piece of legislation. In the words of the Leader of the House, it was inconsequential legislation; namely, the Hairdressers Registration Repeal Bill. It certainly was not inconsequential to hairdressers. The Leader of the House did not seem to regard it as landmark legislation, but that is not the point. This Opposition has thrown out only one piece of legislation.

Regarding heavy modification of major government Bills, it could be argued that only the School Education Bill received a fair degree of intervention in this place.

Hon Ray Halligan: What about native title?

Hon KIM CHANCE: I would not raise native title in that regard. Ultimately, the Government accepted a large part of the Opposition's propositions. We still have disagreement. I disagree with the member that the state legislation was all that important anyway. We always have the default Howard-Harradine legislation, generated by a Government of the same colour as the member's - although not entirely - to fall back on. We have had a failure of communication on native title between parties and Houses. To be honest, we could all have handled native title better than we did. In the review process I conduct in my mind, I try to be honest, as I do with other people. Nevertheless, it is extraordinarily complex legislation. I do not level criticism at any individual of the Government or Opposition, but all of us could have done better on that measure. However, it does not detract from my general view that the Opposition has had the view that Governments should be allowed to govern, but should always be interested in help from time to time from the Opposition so that the Government does not make silly mistakes.

Hon Ray Halligan: I hope it is a reciprocal arrangement.

Hon KIM CHANCE: I trust it will be. I have a real concern about the long-term nature of some of the contracts established within the process of privatisation. I am also concerned, particularly where they involve the sale of assets, when those changes are of a fundamental and structural nature. Government needs to be able to introduce such reforms, but the nature of the changes should not impose restrictions on succeeding Governments. To do so verges on the improper. The British Government has been unable to honour its undertakings to move away from private prisons since it was elected to government. The contracts entered into by its predecessors have meant that future Labour Governments are limited in their right to govern. Many of these contracts were signed by the previous Government in the face of alternative advice from the Opposition.

Hon M.J. Criddle: It would not inhibit your right to govern.

Hon KIM CHANCE: It does. Fundamental differences between coalition and Labor Governments tend to reside in the area of public administration and the delivery of public services. A future Labor Government's ability to implement its policy, and to express that policy in terms of administrative outcomes, will be restricted if those outcomes are still being delivered under contracts established by its predecessor. They are not greatly restrictive if they apply for one or two years into the next Government's term. However, contracts which run, as do British private prison contracts, for 20 or 25 years present a problem. I do not know how to get around that difficulty. This problem is inherent in the build-own-operate contracts, which ideally, if entered at all, should be with some kind of broad parliamentary support. It is okay for Governments to enter into such contracts provided they can convince the Opposition to take them on board. For example, it might relate to a privately-run power station. The Opposition may believe it is something it was prepared to cop. It would be reasonable to make such a commitment in those circumstances.

Hon Ray Halligan: We have private and public schools and hospitals.

Hon KIM CHANCE: That has always been part of the system.

Hon Ray Halligan: Why can we not go down the same path with prisons?

Hon KIM CHANCE: The Opposition does not agree on that matter. We are yet to be convinced as a Parliament that we want such operations. I did not raise that example as a parallel with Western Australia; I referred to the British example. The British Labour Party in Opposition had trenchantly opposed private prisons. The Opposition may have been over the top in view of what happened. It considered some US examples, which frankly frighten me. The British might have done it better. The Labour Party promised the British people that on achieving government it would wind back the process of private prisons, but it failed to honour its promise. That may have been because the Labour Party was locked into the contract, or because it was discovered upon winning government that the system was not as bad as first thought. I will not make a judgment on that matter, as the latter option is a possibility for which I will allow. Nevertheless, it is wrong for long-term commitments to be made without some kind of joint opposition-government position. This is not impossible to achieve. We may achieve such agreement with power stations.

Hon Mark Nevill: Not without an independent regulator!

Hon KIM CHANCE: Good point. We must reach agreement on issues like the regulator. I will not bring the Westrail argument into this debate, as to do so would be improper. In the case of Westrail, we would want to be certain that the

access code, for example, was a guarantee of good competition. As the Government found during the orderly fiasco at Sir Charles Gairdner Hospital, the process for letting a contract and then terminating it when it does not work is an extraordinarily expensive process. That fact will impose huge costs on the next Labor Government on every occasion that the elected Government seeks to implement its policy. I am not suggesting that a future Labor Government would breach convention and not honour contracts which were entered into by the current Government. However, at some stage that change back must be made if we are to implement our policy in those areas. That change will involve exceptional cost. That is unreasonable and, at the very least, it is a reason for the Government to desist from any further privatisation in the period leading up to the next election, in particular that should include long-term contracts for the provision of what we call non-core services. I am not including Westrail in that argument.

This is a major public administration issue. In his speech, His Excellency referred to the rate of change and to society's capacity to cope with that change. One of the principal changes we are seeing in modern society is that Governments which stay in office too long are increasingly prone to alter so fundamentally the structures of our society that the kind of initiation of new ideas that we have come to expect from new Governments is fast becoming impossible. In the past we have relied on a mix of a professional and impartial Public Service combined with a range of publicly-owned and operated service agencies. Different Governments in that context could bring down their own style of government and management within the parameters of that broad public image of what should be provided by the State. We are in grave danger of radically altering that. There is no reason why the process of change should not be fundamental if that is what the people of Western Australia want and support. However, before we do something, we should be very careful that we are not doing it simply because we can do it. We should look beyond the capacity to do something; we should look carefully at whether we should do it. I refer in particular to the huge changes in the conditions in workplaces that have occurred. Our workplaces are now less secure, less confident and certainly less safe as a result of the industrial changes we have introduced.

HON J.A. COWDELL (South West) [9.14 pm]: I will address some of the constitutional issues raised in His Excellency's speech. His Excellency and, through him, the Government stated in the speech -

As Western Australia approached the turn of the last century, constitutional issues were very much to the fore.

... by the end of 1899, the five other Australian colonies had voted to accept a draft Constitution for the new Australian federation.

Following a State referendum in July 1900, Western Australia was included in the Commonwealth of Australia, formed on the 1st of January 1901.

Almost one hundred years later, history is repeating itself. A referendum on constitutional change is again preceding a new century.

I do not believe history is repeating itself. Western Australian statesmen of the 1890s played an active role in constitutional debate and in defining the new Commonwealth. The Western Australian ministry of the 1990s plays no such role either on the state stage or the national stage. The Premier is a pale imitation of the Prime Minister. They both view the republican initiative with disdain and hold out for no change. Our Governments, which should show leadership on this issue, show none. They contribute nothing to the growing development of our national identity. Their failure to engage in a constructive fashion in the constitutional debate may well delay, but will not defeat, the Australian republic. Its only real consequence will be to ensure that when Australia becomes a republic, we will probably have a directly-elected President. The Prime Minister has been skilful by combining the question of the transition to a republic with the manner of selection of the head of state. A combination of monarchists, direct-election republicans and general apathy will probably defeat the current proposed constitutional change. I firmly believe that two questions should have been asked in the forthcoming referendum. Question 1: Should Australia become a republic? Question 2: If question 1 is answered in the affirmative, should the President of the republic be elected by a two-thirds vote of the Commonwealth Parliament? At least the in-principle decision would have been answered one way or another. Monarchists could then have indicated freely whether they wanted an indirect presidential election without causing the transition to which they are opposed. However, we do not have that choice before us as I believe we should.

As we move towards the centenary of federation, Australians are reminded of the great Australians - the Bartons and the Deakins - who advanced the national interest. Who now remembers the small-minded politicians who blocked and held up this march to nationhood? Who will remember the names of John Howard and Richard Court, who held up the transition to the Australian republic? The transition to a republic is now in the national interest. National identity will be enhanced by this transition. We are not so second-rate as to have to share our head of state with another country. A head of state shared with a number of other countries is not a head of state fully devoted to the interests of Australia. Indeed, a foreign head of state must have conflicting loyalties.

A foreign head of state, even Elizabeth II, can no longer provide a focus for our national identity. To maintain as the Australian head of state the person who is for the time being king or queen of the United Kingdom is to maintain colonial trappings that in no way enhance Australia's prospects in the twenty-first century in Asia or the world generally. We are more than a colonial relic. If anything, it only gives us a false sense of security. It certainly does not give us access to the European Economic Community, the North American Free Trade Agreement, or anything of that nature.

The current duopoly of the Queen in London and the Governor-General in Canberra is no longer viable. We need only to look at the determination of our own Prime Minister with regard to the opening of the Olympic Games, where he finds neither half of our head of state fully qualified to perform this task and intends to do it himself. That is surely an indictment of the current situation.

Not a great deal can be said for the principle of the devolution of public office by heredity rather than by election or appointment on merit. As Thomas Paine once commented with regard to the American revolution -

I smile to myself when I contemplate the ridiculous insignificance into which literature and all the sciences would sink were they made hereditary; and I carry the same idea into governments. *An hereditary governor is as inconsistent as an hereditary author.*

Probably the more telling example of the problem of heredity may be with regard to the role of the English monarch as the supreme governor or head of the Church of England. The problem there is most apparent, particularly if we look at Edward VII or Edward VIII in this regard, and similarly with regard to aspects of the role of head of state.

Hon Mark Nevill: The Shah of Iran!

Hon J.A. COWDELL: George Winterton commented in his excellent book *Monarchy to Republic* that -

An elective presidency is a more rational form of government than a monarchy for a polity, like Australia, based upon popular sovereignty.

Popular sovereignty is strongly endorsed in the Australian Constitution and does not sit well with the heredity principle. Indeed, attempts were made in Australian history to introduce the Bunyip aristocracy, but fortunately that was unsuccessful, and we have done away with all nominated upper chambers, let alone the proposed hereditary upper chambers that were put forward in the nineteenth century.

There is a prospect of wider constitutional reform once this change has commenced. The Commonwealth Constitution is too rigid, the system has ossified, and increasingly the only adjustments are made by High Court interpretation. That is the only way we have managed to adjust and adapt our Constitution, apart from a few referendum successes. We have now got the ball rolling. The preamble is a good example. This change would not have been debated at all had it not come in the wake of the republic debate. I hope that other sections of the Constitution will be debated as we undertake this change.

The current Prime Minister and the Premier have confirmed by their action, or inaction, the lamentable history of conservatives in contributing to the national identity and the national interest. This year, we celebrate the fiftieth anniversary of Australian citizenship, and of course there will be anniversaries, and members will give speeches at citizenship ceremonies. During the parliamentary break, I journeyed to Melbourne for a citizenship conference, where there were ministers and shadow ministers, and there was much discussion about the history of Australian citizenship and its future directions. It is interesting to ask who said with regard to the Chifley Government's 1948 Nationality and Citizenship Bill, which subsequently became an Act, that -

... this bill reflects the views of separatists, and is directed towards the liquidation of the British Empire. ...

The Government has not obtained a mandate to introduce this new concept of dominion citizenship ...

The dominions will be separate entities. We shall have the right to decide, as Australian citizens, where Australia shall fight. ...

When we peruse the bill, we realise that it is a part of a plan - a sinister plan - to liquidate the British Empire.

Another speaker at that time said -

Is there anything, other than the policy so relentlessly pursued by the Minister for External Affairs and by this Government, that warrants the presentation of this measure to the House? ...

He said also -

This bill, smirchy and insidious as it may be, is unnecessary.

Hon Mark Nevill: Who said that?

Hon J.A. COWDELL: We are coming to it. It is an impressive array.

Hon Mark Nevill: Obviously not Chifley.

Hon J.A. COWDELL: The same speaker continued by saying about the Bill that -

It is merely an expression of the passion of this Government to act as if Australia were a great power, when, in truth, we are a nation of 7,000,000 ...

Another speaker said -

The minister described the introduction of the measure as an historic event. It is an historic event; but not all historic events are necessarily happy ones. ...

We are only a small nation, a fact which renders all the more dangerous the giant stride which the present Government proposes to take towards segregating us from the other countries of the Empire. We are to assume national independence and to choose our own vice-regal representative, irrespective of the wishes of the nominal head of the British Empire. ... I say nothing of the disastrous results to our overseas trade which may accrue from such a step as that now proposed by the Government. ...

Nevertheless, it must be clear to all that the end of such a policy must be disaster.
Another stated -

One of the reasons why we must regard the bill with suspicion is that it will be hailed with such joy by all those who work against us, and who will be glad to see us weakened. Of course, this proposal will be opposed by the overwhelming majority of Australians - by every ex-serviceman and every man, woman and child who will go into the streets to welcome the Royal Family when they visit this country next year.

They were an embarrassment to the House of Windsor even then! The same speaker continued by saying that -

. . . we are proposing to adopt something that amounts to appeasement and that can only please our enemies . . . and if the members of the Government are patriots they should meet all assaults on the Empire, whether external in nature, or emanating from the fifth column in its own ranks, or contained in corrosive legislation adopted by other dominions . . .

These were the members who wanted to initiate war to maintain the status quo and keep India and Pakistan within the empire. He continued -

I consider that this bill, and the events leading up to its introduction, will, in the long run, do Australia a grave injury.

Another stated -

. . . this is another step in the march of time under socialism.

. . . traitors within our own country, people who are allegedly British and because they are thought to be British have been trusted, have been working in the interests of those foreign elements. Yet, we are supposed to accept this change meekly.

Yes, members will have guessed it. The comments were made by the Liberal and Country Party members who voted against Australian citizenship in 1948. These are the acting opposition leader Mr Harrison, Mr Anthony, "Black Jack" John McEwen, Mr Gullett, Mr White, Mr Beale, Mr Bowden and so on. At the time Mr Calwell stated -

This is an historic occasion in the life of our nation. The bill which I have the honour to present this evening seeks to establish for the first time the principle of Australian citizenship . . .

When this bill becomes an act, it will be proclaimed on Australia Day, the 26th January, 1949, and the occasion will be a memorable one. It will symbolize not only our own pride in Australia, but also our willingness to offer a share in our future to the new Australians we are seeking in such vast numbers.

Hon Kim Beazley on that occasion stated -

This Government is not to be indicted for the fact that there is a demand by many of the peoples of the British Empire for a clear definition of Dominion status and for legal enactments that do not imply their subordination.

Citizenship is but one example. The introduction of Australian citizenship was opposed by the coalition parties. They raised doubts about the introduction of the Australian flag because of course although the Union Jack was in the corner, it was combined with the stars of the Eureka flag. Was it not disloyal not to have the Union Jack fly but this bastardised version which only had the Union Jack in a quarter of the cloth and the stars of Eureka on the rest? Then they opposed the Bolshevism of a Labor Government introducing our independent coinage and postage. There was great controversy because the first postage stamp had a map of Australia and a kangaroo instead of the visage of George V. This was treason and Bolshevism as well, and so it was opposed. National coinage and postage was opposed, the flag was opposed, citizenship was opposed and Australian appointments were opposed. We could not have Australians appointed to the position of the State Governor or Governor General because they might be partisan. What we needed was retired British politicians who would be above politics provided they were paid enough.

The controversy that surrounded Prime Minister Scullin's advice to George V that Sir Isaac Isaacs be appointed the first Australian Governor General of the Commonwealth knew no bounds. I note that on most occasions George V in the formal address indicated the pleasure of His Majesty in appointing such and such. On the occasion of the appointment of Sir Isaac Isaacs, George V appointed with no pleasure at all. Of course, we had the same controversy when Sir William McKell was nominated as Governor General by the Chifley Government. Conservatives came in and appointed a range of British dignitaries in between. The last one before they were won over to the process I think was Viscount De L'Isle in the early 1960s.

Then there was the problem of the ratification of the Statute of Westminster. The coalition parties opposed that as well, as they probably would, had they been in a position to oppose Curtin's countermanding of Churchill's diversion of Australian forces to Rangoon for the defence of Burma rather than their conveyance to Australia for the defence of Australia. As the Imperial authorities said, "Australia can fall; we will win it back; send the troops to Burma."

Of course the controversies continue. We had the problem of the new national anthem *Advance Australia Fair* which was denounced as a Whitlam anthem. The current Prime Minister refused to stand up for it and would only stand up for *God Save the Queen*. So it went on. It was the same with the Order of Australia. It is now the same with the republic. It is a lamentable record of contribution to the national identity and interest, now being continued by the current conservative leaders. Fortunately, it is not by everyone in the conservative ranks but the current conservative leadership.

In the Governor's speech there is also a statement pertaining to the constitutional situation in Western Australia. The Governor stated -

If the national referendum in November supports an Australian republic, a State referendum will be needed to clear the way for links to the monarchy to be removed from the Western Australian Constitution.

I suppose that is better than nothing. At least we will not die in the ditches trying to maintain a Western Australian monarchy in the face of a commonwealth republic. When the Government's policy was further outlined, the claim was made that since coming into office in 1993, the Government has done much to educate the community about our constitutional arrangements. This includes holding constitutional forums throughout the State, and creating Australia's first constitutional museum. That bit of education is commendable in its own right. The Governor said further -

In considering constitutional change, the community needs to reflect on the checks and balances in the current system and how they might be retained, or improved, in a new system of governance.

An exhortation for reflection is commendable in its own right as well.

Hon B.M. Scott: That is a lot more than you ever did.

Hon J.A. COWDELL: Hon Barbara Scott is less than generous this evening.

Hon B.M. Scott: Have you attended any of the constitutional forums?

Hon J.A. COWDELL: Indeed I have.

Hon B.M. Scott: You must say that they are very successful.

Hon J.A. COWDELL: The problem is that it all ends there; there is no activity to follow. It indicates a complacency and contentment with the state constitutional shambles which is not warranted. There are no concrete initiatives. Where is the action three years on on the constitutional initiatives the Commission on Government proposed in recommendations 254 to 262? There is no initiative. What then is the worth of the Government's promise to address these matters in the current term? We are indeed in the third session of the thirty-fifth Parliament. The promise is ringing increasingly hollow.

I remind members that Commission on Government recommendations 254 to 262 refer to setting out in our constitutional laws what are exactly the duties and powers of the Government, of the Executive Council, of the office of the Premier and the circumstances in which that office may be terminated, of defining the role of Cabinet and defining the powers and duties of ministers. That was recommendation 254 alone, which the Government promised to address in its election manifesto, but about which it did nothing.

Recommendation 255 refers to the need to amend the Constitution Act to encompass certain electoral changes. Recommendation 256 is to establish the principle that members should be elected directly by the people. Recommendation 257 is to ensure adequate protection of the judiciary and to protect the existing jurisdiction of the Supreme Court. Recommendation 258 is the proposed amendment to specify the officers of the Auditor General, the Ombudsman and effectively the Anti-Corruption Commission. Recommendation 259 is the proposal to provide for a parliamentary commission to investigate and report to Parliament on the facts concerning allegations which may lead to the removal from office of any of the officers previously mentioned. Recommendation 260 is for a constitutional amendment to provide that Parliament should be summoned within 30 days of the return of the writs from a general election of either House.

Recommendation 261 is a proposal to amend the Constitution to provide for the reversal of the doctrine of the shield of the Crown so that the Crown and its agents are subject to statute unless the Parliament has specifically exempted the Crown and its agents. Recommendation 262 is for amendment of the Constitution to provide a procedure for amendment that involves the people more generally than is currently provided for, to validate any change and to effect any amendment.

Where are these initiatives? All the Government can point to is an educative program. It has no response to its own pledges. What self-respecting Government could contemplate going into the next century and millennium content with the current Western Australian Constitution? As I have said on previous occasions, the State currently has an obsolete crown colony Constitution. It was outdated by the beginning of the twentieth century. A Constitution that still refers to "Our Gracious Sovereign, Queen Victoria", the remuneration for a set of colonial officials who ceased to hold office in 1890, and the State's excise levying powers that were abolished by 1910 leaves something to be desired.

The WA Constitution is still oblivious to the existence of the Commonwealth of Australia almost a century after its inception. According to the Commission on Government, the WA Constitution is inadequate when it comes to safeguarding the independence of the Supreme Court and the judiciary. It is certainly deficient when it comes to the recommendation on local government. The Constitution is also inadequate when it comes to providing for a public role. Although opinions may vary as to the merit of a citizens' initiated referendum, there can be little doubt that the people should have a direct say in determining the fundamental rules of government; that is, the Constitution.

At present Western Australian electors have no say in what goes into the state Constitution and little say in what comes out of it. However, there are more fundamental problems affecting our Constitution. A Constitution in which democracy is an optional extra is an affront. The WA Constitution fails to establish a democracy. It follows the crown colony form. The Government is chosen by the Governor, not the people. He is not required to choose as Premier the person who commands the majority in the Legislative Assembly. The Governor is quite free to make Dr Gallop or even Mr Cowan Premier tomorrow if he chooses, despite the fact that one has the support of 19 members out of 57 in the Legislative Assembly and the other has the support of six.

The Governor may even select as ministers people who have never been elected to Parliament. Indeed there have been instances in Western Australia in which members have been selected and elevated to the ministry prior to a general election to give the hint to the local electors of who they should elect - the local minister just appointed who could deliver the government contracts.

A Constitution whereby no citizens' rights are guaranteed is a danger. It is all very well to say, I believe fallaciously, that because no rights are spelt out, all are guaranteed by common law. The Australian Constitution may guarantee only four rights, but that is four more than the Western Australian Constitution guarantees. At one stage the High Court took the view that because it was not mentioned, State Governments could resume citizens' property on behalf of the Commonwealth without just compensation. There is certainly no guarantee of religious freedom in the WA Constitution. Further, a Constitution that embodies racial exclusivity is repugnant. The fact that the clause in question determining that Aboriginal natives not be counted in the population of the colony is exhausted, does not detract from the insult.

Section 42 of our state Constitution refers to the population of the colony having to the best of his knowledge and belief, exclusive of Aboriginal natives, attained to 60 000 souls.

Once this level is reached, it states that the Legislative Council may be popularly elected rather than appointed, as it was originally.

Hon M.D. Nixon: The fact that it excluded Aboriginal people was not in any way meant to be detrimental to Aboriginal people; it was supposed to be an advantage.

Hon J.A. COWDELL: Many things that were not thought to be detrimental turned out to be a disadvantage and certainly now quite rightly would be taken as an insult. One of the classic examples was the Western Australian Citizenship Act with respect to natives. The Australian Citizenship Act, which went through in 1948 and came into force on 26 January 1949, gave Aboriginal Australians the right to Australian citizenship. However, it gave them no benefits; therefore, it was overridden by the state citizenship Act, which took almost every benefit that would be perceived to be attached to citizenship from Aboriginal natives. Citizenship was accorded on the basis of appearing before a magistrate and proving that one was not really a native. If one could prove that one acted like a white person and did not associate with natives, along with a range of other matters, one could be granted citizenship. However, it could also be taken away. There was a set of citizenship disabilities that did not apply to any other citizen. Those sorts of things are still recorded, and it is a disgrace that in the last year of this century this matter cannot be cleared up. It can be cleared up relatively easily in terms of the state Constitution.

Where is the preparation and planning for a state republican model? The extent of the work to be done was well mapped out by Mr Simon Thackrah who, as a University of Western Australia intern, prepared a paper for me on this matter only last month, for which I thank him. As he noted, we must consider the issues of consistency with the national level; for example, whether we have an indirectly elected Governor or a directly elected Governor, defining the reserve powers, codifying the reserve powers, defining the manner of appointment, the dismissal procedures, and so on.

We must be prepared for three eventualities in the light of the upcoming federal referendum. I am not sure that we are prepared for any of them. The first eventuality is that if the referendum is carried, we clearly must move, and the Government has indicated that it will move. Presumably in that case we would move to a model of parliamentary selection, because it would mean that that model was carried at commonwealth level, and direct election would be abandoned. The second question which arises is that if the referendum is defeated nationally but is carried in Western Australia, what then does the Government do? Presumably it should at least make plans for developing a republican model for Western Australia based on parliamentary selection if that is carried in the State. If the referendum is not carried at all, work still needs to be done. I argue that we would have to institute a change in the current manner of appointment of the royal Governor to allow wider participation. I suggest that the Governor would be nominated, following consultation with the Leader of the Opposition, and be endorsed or not by a joint sitting of both Houses of Parliament before the recommendation proceeded to Her Majesty the Queen. Certainly, if the referendum went down, we would have to consider the probability that the next model at which we would be looking was one of direct election, and therefore we would have to examine the scheme for the direct election of a state Governor.

Finally, there is recommendation 263 of the Commission on Government concerning a people's convention. That recommendation stated -

1. A people's convention should be established by legislation to review the constitutional laws of the State and formulate a new Constitution for Western Australia.
2. The terms of reference of the proposed people's convention should be broad and permit detailed consideration of, but without being restricted to, those matters raised in Appendix 2:
 - (a) assent to legislation;
 - (b) bill of rights;
 - (c) electoral rights;
 - (d) initiation of constitutional amendment/citizen initiated referendum;
 - (e) new preamble;
 - (f) power of Parliament to recall Parliament;

- (g) prorogation;
- (h) recognition of Aboriginal peoples;
- (i) resolution of parliamentary deadlocks;
- (j) role of local government;
- (k) role of political parties;
- (l) selection, appointment and powers of the Governor; and
- (m) size of the ministry.

The Government promised such a body. We are now in the third session of the thirty-fifth Parliament, and this matter was not even mentioned in the Governor's speech. Instead, there was mention of a series of constitutional forums and the Constitutional Centre, but no mention of activity regarding the removal of the obsolete clauses in the Constitution, no mention of activity in the consolidation of the Constitution, no mention of activity in acting on five key recommendations of the Commission on Government and no mention of activity in honouring the pledge of a people's convention.

Amendment to Motion

Hon J.A. COWDELL: This matter is of such importance that the Chamber must tender advice directly to His Excellency the Governor on the matter. The people cannot and must not be excluded from the constitutional process. Therefore, I move -

That the following words be added to the Address-in-Reply -

And further, this House recommends that His Excellency summon a Western Australian Constitutional Convention to involve the people in important deliberations to consider -

The republican issue and the parliamentary selection or popular election of a State Governor.

Assent to legislation.

A Bill of rights.

Electoral rights.

Initiation of constitutional amendment/citizen initiated referendum.

A new preamble.

The power of Parliament to recall Parliament.

Prorogation.

The recognition of Aboriginal peoples.

The resolution of parliamentary deadlocks.

The role of local government.

The role of political parties.

The size of the Ministry.

Members may gather that the amendment bears a remarkable similarity to recommendation 263 of the Commission on Government; in fact, it mirrors that recommendation. It is necessary at this time for the Chamber to adopt and support this amendment because of the absence of any mention of this initiative in the Governor's speech - an initiative to which the Government committed itself at the last general election. There is a need to raise these issues at the highest level and to bring them to the attention of the Governor. Members would be aware that, as I have just stated, the republican issue, regardless of the result of the referendum this year, will need to be addressed, because if the referendum regarding indirect election is unsuccessful, we will proceed to direct election models.

Debate adjourned, pursuant to standing orders.

House adjourned at 10.00 pm

QUESTIONS WITHOUT NOTICE

GANTHEAUME POINT TOURISM PROPOSAL

9. Hon TOM STEPHENS to the minister representing the Minister for Lands:

I refer to the naming by Cabinet of Pearl Bay Resort Developments as the preferred developer of the Gantheaume Point tourism proposal and ask -

- (1) Will the Minister for Lands table the memorandum of understanding; and if not, why not?
- (2) Will the Minister for Lands table the precise requirements on the proponent for community consultation?
- (3) What are the residual issues still to be agreed upon between the State Government and the proponent?
- (4) What are the required outcomes of the consultation process that will need to be met prior to final approval being given for the project?
- (5) When will the preferred developer be required to provide the \$10m performance bond, and what form will that bond take?
- (6) Has a casino or other form of gambling licence at any point been discussed, suggested or proposed as part of the development?
- (7) If so, by whom, and what agreement has been reached?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Yes, once it is agreed and signed.
- (2) Yes. This is contained in the memorandum of understanding.
- (3) All issues to be addressed are detailed in the memorandum of understanding.
- (4) All statutory approvals will need to be achieved following public consultation, including native title and Aboriginal heritage clearances.
- (5) On signing of the memorandum of understanding.
- (6) No.
- (7) Not applicable.

GORDON, MR STANLEY, DEATH ON BUS

10. Hon TOM STEPHENS to the Minister for Transport:

I refer to the death of Mr Stanley Gordon on a Transperth bus and to the answer provided by the minister yesterday and ask -

- (1) Has a written report into this incident been completed?
- (2) If yes, when was it completed, and will the minister table the report?
- (3) If not, why not?
- (4) If a written report has not been completed, what is the time frame for its completion?

Hon M.J. CRIDDLE replied:

- (1)-(4) Since answering the Leader of the Opposition's question in this House yesterday, I have read a report that was given to me. However, I must say that I find the Opposition's handling of this unfortunate matter disappointing, in particular its insinuating that there has been a drop in standards because the services have been tendered out. Comments made by certain people have created the perception that when the buses were operated by the Metropolitan Transport Trust, all drivers had to do first aid courses. This is incorrect. It was voluntary, with the MTT reimbursing the driver part of the costs. The same standard that applied to the previous government operator applies to the private operators. Furthermore, Transperth has advised all bus, train and ferry operators that the introduction of basic first aid training is regarded as mandatory. This is another improvement on the previous standard within the system. I seek leave to table the report and the St John Ambulance Australia attachments.

Leave granted. [See paper No 82.]

GOVERNMENT BUDGET COMMITTEE

11. Hon N.D. GRIFFITHS to the Minister for Finance:

I refer to the Minister's answer yesterday dealing with the government budget committee.

- (1) Can the minister now say who is on the committee; and if so, who?
- (2) Has the committee considered the effect on stamp duty revenue of the reported drop in motor vehicle sales of 25 per cent in June and July, being an 11.5 per cent drop in July compared with July last year?
- (3) Is the extent of the drop consistent with budget assumptions about the introduction of the goods and services tax and forecast revenue?

Hon MAX EVANS replied:

- (1)-(3) With regard to the members of the committee, apart from those who are coming and going, I would just be guessing, and I will leave it at what I said yesterday. With regard to stamp duty, I have not yet seen the report for July. We do a budget for every month of the year under stamp duty, payroll tax, mortgage duty - the lot - and what the cumulative revenue should be. I brought that in three or four years ago; it had never been there before. I doubt that it would be down by that much money. It also comes back to the value of the cars. The member should not forget that we put up the amount of stamp duty this year. When I get the actual figures, rather than just going from what the sales are, I will make a comment.

Hon Ljiljanna Ravlich: Who is on the committee?

Hon N.D. Griffiths: When will you get the figures?

The PRESIDENT: Order, members! Is the minister seeking some clarification?

Hon MAX EVANS: I hope the figures will come to me in the next few days. I get them every month on all the departments to see how we are going against budget. Every year it never goes exactly, and they try to project a bit better every year. We do not divide by 12 or anything like that. There are ups and downs in these things according to the trends in housing and mortgages, etc.

Hon Ljiljanna Ravlich: Is the Attorney General on the committee?

The PRESIDENT: Order! Does Hon Ljiljanna Ravlich want me to put that down as her question?

GENETICALLY MODIFIED CROPS IN WA

12. **Hon J.A. SCOTT to the minister representing the Minister for Primary Industry:**

- (1) Is the Minister for Primary Industry or his department aware of any genetically modified crops in Western Australia?
- (2) Will the minister give details of these crops; that is, the types, location and size of each crop?
- (3) What safeguards are in place to ensure that pollen or seeds do not escape into the surrounding environment or contaminate other crops?
- (4) Have neighbouring farmers been informed of these crops and been made aware of possible impacts on their crops?
- (5) Do the crops require approval from Agriculture Western Australia?
- (6) For what purpose will the harvested crops be used?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question. The matter of genetically modified crops is very complex and I request that the question be put on notice. I also offer the member the opportunity of a full briefing by the agency.

DE FACTO RELATIONSHIPS, DIVISION OF PROPERTY

13. **Hon HELEN HODGSON to the Attorney General:**

- (1) Does the Attorney General intend to introduce legislation during this parliamentary session to regulate the division of property between couples living in de facto relationships?
- (2) If yes, when will the legislation be introduced?
- (3) If not, why not?

Hon PETER FOSS replied:

I thank the member for some notice of this question..

- (1)-(3) While there has been support for such de facto legislation, I have not been able to secure an agreed approach by the party room and am therefore not in a position to provide such legislation. I will explain to the Parliament - I think I have mentioned it before - that in order to prevent the excesses that occurred under Labor, we have a rule in our party room that any legislation put forward by Cabinet must receive the majority support of the party room, without the votes of ministers; that is, it is not possible to have the situation that occurred in the past under Labor, where a small cabal can control Cabinet, Cabinet can control Caucus, and Caucus can control the Parliament. We believe it is an important part of the democratic process that Cabinet may have any idea that it likes, but if it cannot secure the support of a majority of the party room other than ministers, it cannot bring that legislation forward.

That is an important democratic protection to prevent the domination of Parliament by the Executive, and it is for that reason that I cannot bring that legislation forward yet.

NARROWS BRIDGE, PROGRESS UPDATE

14. Hon RAY HALLIGAN to the Minister for Transport:

Can the minister give an update on the progress of the Narrows Bridge?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question. A design and construct contract was awarded to Leighton Contractors Pty Ltd on 25 March 1999. The contract date for completion of the bridge is 9 August 2000, with completion of the remainder of the project by 1 November 2000. Works are progressing on target to achieve these dates, with piling for the bridge's foundations having commenced today.

REGIONAL FOREST AGREEMENT, JOB LOSSES

15. Hon J.A. COWDELL to the Leader of the House representing the Premier:

Will the Premier provide a detailed breakdown of the 1 500 jobs he says will be lost under the recent changes announced to the Regional Forest Agreement?

Hon N.F. MOORE replied:

I thank the member for some notice of this question. Job losses were estimated using the same procedures developed with the Australian Bureau of Agricultural and Resource Economics and Environment Australia and used in the RFA: Logging 75, sawmills 371, transport 25, admin 50, public 178, and indirect 838, making a total of 1 537.

GREAT EASTERN HIGHWAY, EASTERN END OF TAMMIN

16. Hon KIM CHANCE to the Minister for Transport:

- (1) What was the budgeted cost for the realignment of the Great Eastern Highway at the eastern end of Tammin?
- (2) How much has been spent to date?
- (3) What is the cost of services provided to date by Pavement Technology Ltd in respect of the project?
- (4) Are there further works to perform; if so, what is the estimated cost?
- (5) Why does the project not appear in either the 1998-99 or the 1999-2000 budget papers?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) \$2.363m.
- (2) \$1.662m.
- (3) \$116 485.
- (4) Yes; \$750 000.
- (5) The project is part of major preservation and upgrading of Great Eastern Highway between Meenaar and Walgoolan. It is not identified in the budget papers because it is not a capital works project.

WMC RESOURCES LTD, KAMBALDA OPERATIONS

17. Hon MARK NEVILL to the Leader of the House representing the Minister for Energy:

- (1) Has the minister had discussions with WMC Resources Ltd about its plans not to resume full production at its Kambalda nickel operations, despite signs of a price recovery?
- (2) If yes, what was the outcome of those discussions; if not, why not?
- (3) How many employees were affected by the decision to wind back production?
- (4) What steps has the Government taken to provide relief to those affected employees?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Not applicable.
- (3) Since September 1998 approximately 500 jobs have been lost due to the closure of five mines at Kambalda.

- (4) The job losses are due to commercial decisions by WMC Resources which are beyond the control of the State. I understand WMC Resources has provided redundancy packages to the employees who were laid off.

VARANUS ISLAND, OIL SPILL

18. Hon GIZ WATSON to the minister representing the Minister for the Environment:

With regard to the recent oil spill near Varanus Island -

- (1) What amount of oil was spilt?
- (2) When was the spill reported?
- (3) To whom was it reported?
- (4) How soon after the spill was the amount of oil spilt assessed?
- (5) Who made the assessment?

Hon MAX EVANS replied:

I thank the member for some notice of this question and ask that it be placed on notice.

GAMBLING, PRODUCTIVITY COMMISSION DRAFT REPORT

19. Hon MURIEL PATTERSON to the Minister for Racing and Gaming:

- (1) Has the Government reviewed the recent Productivity Commission draft report on gambling?
- (2) If so, has it had any impact on the Government's gambling policy?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Yes.
- (2) The Productivity Commission's draft report clearly confirms government policy of not allowing gaming machines in hotels and licensed clubs is correct. The Productivity Commission has reported that Western Australia has the lowest extent of problem gambling, which is supported by the low level of expenditure per adult in Western Australia. In fact, Western Australia is reported as having the lowest gambling expenditure as a percentage of income.

POLICE-JUSTICE CORE FUNCTIONS PROJECT, CONCERNS

20. Hon JOHN HALDEN to the Minister for Justice:

- (1) Has concern been expressed by the Police-Justice core functions project that the Ministry of Justice and the Western Australia Police Service have been paying "less than adequate attention" to the implementation of privatised court and security services?
- (2) Have these views been expressed to the minister; if so, by whom?
- (3) Is it correct that Cabinet has approved the timetable of 1 October 1999 as the starting date for the new privatised court and security services and that this is also the contractor's required introduction date?
- (4) Does the minister intend to direct the two principal agencies involved to accelerate the administrative process to meet that deadline?

Hon PETER FOSS replied:

Members must understand that the project has principally been conducted out of the Premier's office, although nominally, with the end of the Public Sector Management Office, the Ministers for Police and Justice have been given responsibility; therefore, I ask that the question be placed on notice so that it can be referred back to the relevant people.

CAREY PARK PRIMARY SCHOOL, REDEVELOPMENT COST

21. Hon BOB THOMAS to the Leader of the House representing the Minister for Education:

- (1) What is the latest estimate of the cost of the proposed redevelopment of the Carey Park Primary School?
- (2) What was the original estimate of the cost of its construction?
- (3) Did the original plan include the construction of any special education facilities as part of the redeveloped school?
- (4) If yes, what were they and what was the estimated cost?
- (5) What educational support facilities does the department intend to build at the school and what will they cost?
- (6) If a full education support centre is no longer a part of the plan for the Carey Park site, will the funding originally allocated for this purpose be put to the upgrade of special education facilities elsewhere within the region?

(7) What plans does the department have for the education support centre at the South Bunbury Primary School site?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1)-(2) The latest estimated cost to replace Carey Park Primary School on the existing school site is \$6.4m. It must be stressed that this is a preliminary estimate only. New primary schools usually cost approximately \$4.5m to \$4.7m. The new Carey Park Primary School will be more expensive because of the restricted site, the need for a two-storey model and the costs associated with demolishing the old building.
- (3)-(4) Yes; it was planned to construct the full provision of education support centre facilities. No detailed breakdown of costs was estimated for the education support centre facilities.
- (5) The need for education support centre facilities at the new Carey Park Primary School now and in the future is being reviewed. It is anticipated that a decision will be made shortly. No detailed costings for these facilities are available at present.
- (6) No; it is not anticipated that any significant savings will be derived from a reduction in the scope of facilities provided. For example, provision of an education support unit, rather than a centre, would not yield significant savings within the context of a \$6.4m project.
- (7) The future of an educational support centre on the South Bunbury Primary School site will be considered as part of the review referred to in (5) above.

FIRST AID KITS, GOVERNMENT VEHICLES

22. Hon LJILJANNA RAVLICH to the minister representing the Minister for Works:

I refer to WorkSafe inspectors issuing 13 improvement notices at the offices of the Australian Nursing Federation on 17 June 1999 and ask -

- (1) What is the Government's policy on the provision of first aid kits in government vehicles?
- (2) Are all of the 9 000-plus government fleet vehicles fitted with first aid kits?
- (3) If not, why not?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Government fleet policy does not mandate the provision of first aid kits in all government vehicles.

Hon Ljiljanna Ravlich: They expect the ANF to have them, and they are private cars.

The PRESIDENT: Order!

Hon MAX EVANS: As someone said, the question was not worth asking. Depending on the operational use of the vehicles, agencies decide whether to provide first aid kits in their vehicles.

- (2) No.
- (3) See (1) above.

TIDAL POWER PROJECT, TOURISM POTENTIAL

23. Hon TOM STEPHENS to the Minister for Tourism:

In the light of the tourist attraction potential of the west Kimberley tidal power project and the creation of new opportunities for recreational fishing in the proposed tidal lake at Doctor's Creek, will the minister support the inclusion of this project in the tender short list?

Hon N.F. MOORE replied:

I have considerable sympathy for the proposal put forward. In fact I would like to see a tidal power station built in the west Kimberley. I am also aware that the Minister for Energy, who is responsible for this project, has undertaken a rigorous process to determine which proposals should be short-listed. It is not for me to interfere with those processes. If the Minister for Energy reviews the decision again, it is for him to make the decision. However, I am aware that the tidal power project is a reserve in the event that the preferred proponents are unsuccessful. It would be a very good tourist attraction, as would be the belltower, but it would be significantly more expensive than a belltower to the tune of \$140m.

Hon Tom Stephens: It is federal funding.

Hon N.F. MOORE: There is no federal funding of that nature of which I am aware.

Hon Tom Stephens: It will be in the GST package.

Hon N.F. MOORE: If Hon Tom Stephens can tell me from where that funding will come, that may solve the problem. At present the State Government does not have \$140m to spend in addition to what it would cost for a traditional power station

in the west Kimberley. I am satisfied that the Minister for Energy has gone through the proper processes, which have been subject to probity audit. If the Government were to interfere with that process, the first person to complain about it would be the Leader of the Opposition.

DEPARTMENT OF MINERALS AND ENERGY

24. Hon TOM HELM to the Minister for Mines:

- (1) As a result of the recently announced changes to the Department of Minerals and Energy, can the minister assure the House that the state mining engineer, who has always been regarded as impartial, has not been sidelined?
- (2) Can he also assure the House that the recently announced appointment of a new deputy director of general policy planning and services does not mean that the Chamber of Minerals and Energy will become the main customer of the DME?

Hon N.F. MOORE replied:

- (1) I give an absolute assurance that the state mining engineer will continue to have his impartial role. I hold him in the highest regard, as do most people in Western Australia. However, I regret that the member asking the question has on many occasions cast aspersions upon the Mines Occupational Health and Safety Advisory Board, which is the advisory body in respect of safety in mines. In fact, I think it might be the Opposition's policy that MOHSAB should be subsumed by WorkSafe. I would be interested to know whether that is still the policy of the Opposition, because the industry itself would be -

Hon Mark Nevill: I do not think it ever was, unless you are right and I am not aware of it.

Hon N.F. MOORE: It was. Just as a matter of interest, three days before the 1993 election, a sum of something like \$65 000 was sent by the State Government to the Trades and Labor Council to assist in the transfer of mine safety from the then Department of Mines to the Department of Occupational Health, Safety and Welfare, as it was called in those days. To my knowledge, the money has not come back and the transfer never took place.

Hon Tom Helm: I assume you can prove that.

Hon N.F. MOORE: Yes, I can. Members should ask Mr Bartholomaeus, who I think wrote the cheque.

Several members interjected.

The PRESIDENT: Order! There is no need to interject. If members want to get up another question, when I have dealt with a number of members who are expressing concern that they cannot get their question up, I will take second questions.

Hon N.F. MOORE: It was the policy of the previous Labor Government to put mine safety under WorkSafe, or DOHWSA, as it was called in those days. That was the policy and members know it. The Labor Party sought to do that, but it lost the election, which was the best part about it.

- (2) I do not understand what this question means.

WESTRAIL FREIGHT NETWORK SALE

25. Hon NORM KELLY to the Minister for Transport:

- (1) What is the total cost of funding the rail freight sale task force to the end of June 1999?
- (2) What is the total cost to the end of June 1999 for consultants working on the proposed sale of the Westrail freight network?
- (3) What reports have been produced for Government or the sale task force on the most suitable options for the sale of the Westrail freight network?
- (4) Will the minister table any such reports?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1)-(2) I do not consider it appropriate to provide interim reports on the sale process or the funding of that process. However, I will give a commitment to this House that I will table a full report of the process at the completion of the sale.
- (3)
 - (a) A scoping study was produced for Cabinet in July 1998.
 - (b) No formal reports have been produced since the scoping study. The task force has provided advice to Cabinet, and the consultants have provided advice to the task force on various issues as requested.
 - (c) Some of the advice produced by the consultants has also been provided to the Standing Committee on Public Administration as part of submissions to it by the task force and me.
- (4)
 - (a) No. This is a Cabinet document.

- (b) Not applicable.
- (c) The submissions are public documents.

WATER CORPORATION TENDER AS93004

26. Hon KEN TRAVERS to the minister representing the Minister for Water Resources:

I refer to Water Corporation tender AS93004 for metropolitan meter reading services and ask -

- (1) Has a decision been made on who are the successful tenderers?
- (2) If yes, who are the successful tenderers?
- (3) If no, when is it expected that a decision will be made, and what is the cause for the delay in finalising this tender?
- (4) Have all current contractors and unsuccessful tenderers been notified of this decision?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Not applicable.
- (3) A decision will be made by the validity expiry date of the tender, which is 17 August 1999. The corporation has applied due process to all submissions and considers there has been no delay.
- (4) No advice will be provided to the tenderers until the approval process has been completed.

TELECOMMUNICATIONS ENHANCEMENT PROGRAM

27. Hon E.R.J. DERMER to the Leader of the House representing the Minister for Commerce and Trade:

- (1) Has a telecommunications carrier been appointed for the statewide telecommunications enhancement program?
- (2) If yes, which telecommunications carrier has been appointed and when was that appointment made?
- (3) If the appointment of a carrier has not yet been made, why not, and when does the Minister for Commerce and Trade anticipate that it will be made?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Not applicable.
- (3) Negotiations are well advanced with two carriers to establish a panel of competing carriers, this being in the long-term interests of country Western Australia. Contracts are expected to be signed within the next few weeks.

HOME AND COMMUNITY CARE, FUNDING OF AGENCIES

28. Hon CHERYL DAVENPORT to the minister representing the Minister for Health:

- (1) What agencies contracted by government to provide home and community care services received growth, other than the consumer price index, in their recurrent funding for 1999-2000?
- (2) How many agencies in Western Australia provide services through home and community care funding?
- (3) What Western Australian agencies received capital grants for buildings, equipment and other items through home and community care funding in 1998-99?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1)-(3) I would like to read the two pages of names, but I seek leave to table the answer, to save time.
- Leave granted. [See paper No 83.]

NORTH EAST KIMBERLEY POWER DISTRIBUTION NETWORK

29. Hon TOM STEPHENS to the Leader of the House representing the Minister for Energy:

- (1) Will the Minister for Energy table any detailed response proposals that have been offered by Western Power to Ord

Hydro Pty Ltd for access to the north-east Kimberley distribution network and to enable Pacific Hydro Ltd to supply power directly to large commercial Kimberley users?

- (2) If not, why not?
- (3) Does the minister recognise that the proposed costs and delays in relation to Pacific Hydro supplying power direct to large commercial Kimberley users effectively renders meaningless the Minister for Energy's alleged commitment to the principle of contestability for Western Power's operations?
- (4) If not, why not?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) No.
- (2) This is a commercial matter between the proponent and Western Power.
- (3) No.
- (4) The Minister for Energy appreciates that it has taken some time for Pacific Hydro to receive advice from Western Power on costs for the use of Western Power's wires network in the vicinity of Kununurra. After receiving that advice, Pacific Hydro can now proceed in commercial negotiations with contestable customers in the region. The Minister for Energy remains firmly committed to there being an opportunity for supply of electricity on commercial terms from independent power producers direct to those users above the announced contestability threshold in regional areas.

GOODS AND SERVICES TAX, PRICE MONITORING LEGISLATION

30. Hon N.D. GRIFFITHS to the Minister for Finance:

- (1) Does the Government still intend to implement legislation for the purpose of monitoring prices in the lead-up to the imposition of a goods and services tax?
- (2) If so, what is the Government's target date for such legislation to be in operation?

Hon MAX EVANS replied:

- (1)-(2) I think the pricing will come under federal legislation; namely, the goods and services tax. I am not aware of the Western Australian Government discussing the legislation. Perhaps the member could put the question on notice and I will provide him with the information.

The PRESIDENT: The same question cannot be put on notice because it has just had a reply. I guess some other angle to the question might be relevant, but that is up to the member.

TOXIC WASTE SITES, IDENTIFICATION METHODOLOGY

31. Hon J.A. SCOTT to the Minister representing the Minister for the Environment:

In regard to the 1 500 toxic waste sites that the Department of Environmental Protection has identified in Western Australia -

- (1) What methodology was used by the DEP to identify this number of sites?
- (2) How many of these are in the metropolitan area?
- (3) Will the minister table a map or maps of the toxic waste sites?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) This number is based on the number of known landfill sites, service station and old industrial sites.
- (2) The estimate is for the whole State. Under the proposed contaminated sites legislation a comprehensive contaminated site register will be developed and this will include location.
- (3) Since the number is based on an estimate, precise locations are currently not mapped. As noted in (2), locations will be available in the contaminated site register to be developed.

MUNDIJONG-JARRAHDAL RAIL LINK

32. Hon NORM KELLY to the Minister for Transport:

- (1) What is the current status of the Mundijong-Jarrahdale rail link?
- (2) Will the minister ensure that this rail link will be retained to allow for possible tourism and heritage development proposals?

- (3) If the future of the line is currently undecided, will the minister ensure that the rails will not be raised prior to full consultation and agreement with the Shire of Serpentine-Jarrahdale?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) The line is not used as an operating railway line.
- (2)-(3) The rail link between Mundijong and Jarrahdale is owned by Westrail. Westrail will examine the opportunity to reuse the assets from the line elsewhere in the railway network. Given the nature and the value of those assets, the economic interests of the State will be best served by this course of action. However, Westrail does not have any plans to remove the section of railway line from Mundijong to Jarrahdale in the near future, and an undertaking has already been given to the Shire of Serpentine-Jarrahdale that it will be given three months notice of any intention to remove the rail link.
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