

Legislative Council

Thursday, 28 March 1996

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 2.30 pm, and read prayers.

MOTION - URGENCY

Commerce and Trade, Department of - WA Industry and Export Awards

THE PRESIDENT: I have received the following letter dated 28 March 1996 -

Dear Mr President

At today's sitting, it is my intention to move, under Standing Order 72 that the House, at its rising adjourn until 9.00 am on 25 December 1996 for the purpose of discussing the need to review the conduct of the Department of Commerce and Trade's WA Industry and Export Awards and in particular the process adopted in selecting finalists in the Human Resources Best Practices Award.

Yours sincerely,

ALANNAH MacTIERNAN MLC

In order for this matter to be discussed it will be necessary for at least four members to indicate their support by rising in their places.

[At least four members rose in their places.]

HON A.J.G. MacTIERNAN (East Metropolitan) [2.34 pm]: I move -

That the House at its rising adjourn until 9.00 am on 25 December.

Each year the Department of Commerce and Trade organises the WA industry and export awards. The department co-sponsors these awards with a number of private sector operators. I think the list presently includes Arthur Andersen, BankWest, CRA Exploration Pty Ltd, Hitachi Sales Australia Pty Ltd, law firm Mallesons Stephen Jaques and *The West Australian*. These awards are very prestigious and bring with them considerable public relations benefits. I quote from the Department of Commerce and Trade's most recent annual report -

The Department has nurtured these awards to a point that they have become the pre-eminent form of recognition for achievements in these fields.

There are a variety of fields such as quality assurance and human resources best practice, to which item we want to refer today. The department advertises the awards and receives and processes the nominations. Departmental officers then undertake preliminary judgment. After the nominations have been judged in a preliminary fashion they are then forwarded to a panel of sponsors. The department is one of the sponsors so it is again involved at that stage. The announcement of the finalists and the winners is generally made by the Minister for Commerce and Trade and the award ceremonies are organised by the department. It is seen quite properly I think by the general community that the Department of Commerce and Trade is the prime mover behind those awards, which are quite properly associated in the minds both of the public and industry with that department.

As a result the recipients of these awards and those granted finalist status are understandably seen in some way to enjoy the imprimatur of the State Government. It is clear that companies believe these awards and the imprimatur that goes with them provide an opportunity to substantially enhance a company's image among its prospective and current shareholders, customers, employees and the general public. I refer to an advertisement by Robe River Iron Associates which appeared last month in *The West Australian* and which I think reinforces this. It could be described basically as a public relations image enhancement advertisement. It quite prominently cites the fact that this company was a finalist in the human resources best practice award in the WA industry and export awards of 1995 - clear evidence that companies such as this believe the prestige of these awards and the imprimatur of their association with the State Government are important to them in their public relations endeavours.

In the light of that there is a very clear obligation on the department to ensure that the companies receiving recognition under this system have at least a reasonably creditable claim to the awards. We are not saying that the department must get it absolutely right and ensure that only the very best organisations receive these awards. However, there must be a reasonable connection between the performance of the company and the granting of recognition under the award system. Unfortunately, this does not always seem to be the case. Today I wish to set out what I believe is a notorious example; that is, of course, the case of Robe River Iron Associates, which was recognised as a finalist in the human resources best practice award.

In granting recognition to that company there has been a spectacular failure of credibility. When we look at Robe River's human resources performance, such recognition could be compared with granting the Third Reich an award for services to multiculturalism or to Laurie Connell for probity in banking. Some cynics may even compare it with an award granted to Hon Eric Charlton for services to the taxi industry.

Hon Mark Nevill: Or the pig industry.

Hon A.J.G. MacTIERNAN: He has certainly enhanced the pig export industry.

Hon B.M. Scott interjected.

Hon A.J.G. MacTIERNAN: Hon Eric Charlton made a positive contribution to that.

We are not trying to be harsh towards the department, but anyone with any interest or involvement in human resources should have some knowledge of general human resources performances of these companies. Anyone who was in a position to prejudge, judge or make any sort of assessment of human resources performance should surely have known of the extraordinary saga that has surrounded Robe River Iron Associates in the area of employer-employee relationships. The company first gained some considerable notoriety in 1986 with the arrival of Charles Copeman at that company. Certainly over the next seven years there was a great deal of tension and anxiety, and indeed, I suppose one could say, Robe River was a human resources battleground.

Hon P.R. Lightfoot: It was a great victory for common sense.

Hon A.J.G. MacTIERNAN: Hon Tom Helm, who was there at the time, will be able to set that out in much more detail. Suffice it to say the company's conduct was sufficiently notorious that anyone dealing with awards of this nature should have been put on notice that this company would not ordinarily attract such an award. It seems to us it was then incumbent on the persons involved in granting the award to inquire in some detail about just what was this company's performance over the last couple of years.

Hon Max Evans: It was 1986 when all this happened.

Hon A.J.G. MacTIERNAN: It was not just 1986; it ran into 1991 in a very heated and public way. My argument is that it was sufficiently notorious that it should have put anyone on notice. Someone should have said, "Here is a company that we must pay some attention to before dishing out this award." More recent information should have been obtained. If that had been sought, I will read to members the sort of things that would have been found. I refer first to a research document and a survey of staff and human relations at Cape Lambert that had been commissioned by the Robe River company and conducted by a company known as Reark Research. I will refer to some portions of this, particularly those referring to people involved in plant operation and maintenance. They are the largest employment categories at Cape Lambert, and are the traditionally blue collar areas. In those areas enormous dissatisfaction was cited. There is no doubt performance is better in the white collar and management areas. That is quite understandable. It is part of the "us and them" mentality that is fostered by the practices of this company. The independent researcher working for the company found at Cape Lambert that job satisfaction was very low among plant operators and plant maintenance people.

Hon Max Evans: What date is this report?

Hon A.J.G. MacTIERNAN: 1993. It then gives some detail. It reads -

They feel particularly let down by job security, and there is also a large gap between expectation and reality on pay and friendly atmosphere.

Their secondary priorities are for a sense of achievement, career development and a good working environment. They recognise almost no career development available, and perceive a gap on the other two.

It continues -

Insecurity is a dominant issue.

Plant maintenance workers do even worse. The report says that they are the most disaffected group at Cape Lambert. It reads -

With high needs for good pay and job security, almost none feel they have this in their jobs.

The report goes on to describe how most of the employees feel they are delivering the company. It then goes on to describe how most of the employees feel that they are receiving less in return.

Point of Order

Hon P.R. LIGHTFOOT: I wonder whether the member would be kind enough to identify the document she is quoting.

The PRESIDENT: Will the member just identify the document?

Hon A.J.G. MacTIERNAN: I am sorry, but I thought I had done so quite comprehensively. It is a document prepared by Reark Research for Robe River Iron Associates in 1993. I will be quite happy to table the document.

Hon P.R. Lightfoot: Thank you.

Debate Resumed

Hon A.J.G. MacTIERNAN: Even with the foremen and supervisors, who on balance are happy with the company, only 40 per cent of them find that there is a friendly atmosphere at the site. They would like to see a change in the company, with a cessation of "bullying tactics" and less pressure, and they request that the company drop its "iron fist" approach. That is basically an analysis of the report of 1993. In short, it

quite clearly showed that blue collar workers especially experienced insecurity and unhappiness at the workplace. This has not changed to any great extent.

An extensive survey was carried out by a company called the Praxis Institute into the whole operations of all the North Group, of which Robe River is part. It found that generally there was quite a substantial level of contentment with the companies in the group, except at Robe River where it found that only 30 per cent of employees were proud of their association with that company. That contrasted to 77 per cent of all other North Group employees. The report goes on to indicate a slight improvement since 1993 - this is a 1995 survey. Overall there was still a great deal of cause for concern. Neither North Ltd as a whole nor the Robe business unit places enough value on staff in the view of their employees. Only a quarter feel that they are appreciated by the company. Less than a half believe that people within Robe treat each other with due respect. Only two in five employees regard the company as being sensitive to community issues; slightly less believe that they have a personal involvement in community developments. They say that fewer than two in five employees are satisfied with the standard of communication at Robe. Fewer than one in five believe that senior managers spent enough time talking with them. Three out of five individuals regard themselves as frank and open in their communications, although nearly half feel that expressing opinions can be risky and causes them to be labelled as troublemakers. Although two-thirds deny that they only express opinions that they think will be popular, nearly the same number feel that being frank is career limiting and the rewards go mainly to those people who say the right thing, and that more than half believe that advancement depends not on what you know but on who you know. This goes on to indicate that in perceptions of work over half the employees say that they feel overworked and under resourced; more than two-thirds believe that Robe has cut back resources too far in an effort to improve financial performance. If I had more time I would go on.

Suffice it to say that here is very clear evidence together with the company's performance in work place agreements to indicate that this is not a company that should have received such an award.

HON N.F. MOORE (Mining and Pastoral - Minister for Employment and Training) [2.39 pm]: When one looks at the motion before the House one would not think for one moment that it is another Robe River exercise. It refers to the Department of Commerce and Trade and its awards. Members opposite have again engaged in bashing a company that has made significant changes in the way it carries out industrial relations. I lived in the Pilbara for a long time, probably before Hon Alannah MacTiernan can remember. Everybody talked about Robe River for a long time and about the rorts that took place in that company. Hon Tom Helm knows all about that. It went on for years and years. Everybody knew that Robe River was a soft touch.

The time came for someone to do something about it; so a company changed direction in industrial relations and the member does not like those changes. The fact of the matter is that those changes were made, the company's productivity improved dramatically and the rorts ceased. The company is now operating in a manner that the member describes as inappropriate. Nobody forces anyone to work for anyone else and there are many people working for Robe River who find it a very worthwhile company indeed. In fact, it now has a future that it would not have had prior to these reforms having been made.

That is beside the point, because the motion that the honourable member has talked about refers to awards. There has been criticism of the Department of Commerce and Trade in relation to the way in which it administers these awards. There is an independent judging panel comprising a representative of the sponsoring organisations, representatives from the Trades and Labor Council - an organisation which one would consider to be reasonably open minded -

Hon Tom Helm: Do you know who it is?

Hon N.F. MOORE: I have no idea. There are also representatives from the Chamber of Commerce and Industry, Austrade and the Australian Institute of Export. The chairperson -

Hon A.J.G. MacTiernan: How many private companies are represented? Is there a representative from CRA on the panel?

Hon N.F. MOORE: I do not know; the honourable member read out a list of names; I do not know the membership in 1995. However, it comprises the sponsoring companies and those other organisations. The chair of the panel was Associate Professor Alan Brown from Edith Cowan University. I do not know whether he is a mad right winger, a left wing activist or something in between. However, I do know that that was the independent panel put together to judge the applications for this award. That panel made the decision that Robe River should be one of the finalists. I understand that subsequent to Robe's being nominated as a finalist in that award, one Derrick Schapper, barrister and solicitor - and, I understand, a friend of Hon Alannah MacTiernan - wrote to the Minister for Commerce and Trade and complained about the award.

Hon A.J.G. MacTiernan interjected.

Hon N.F. MOORE: I wonder whether there is any connection between the letter being sent by Derrick Schapper to the Minister for Commerce and Trade and the member's raising this matter today. That is for the member to know and for me to find out.

Hon A.J.G. MacTiernan: Of course I was aware of it. I am as concerned about the fundamental issue as he is.

Hon N.F. MOORE: I am making the point that this whole issue has been raised by Mr Schapper. I do not know him from a bar of soap.

Hon A.J.G. MacTiernan: And I have raised it as well.

Hon N.F. MOORE: He has written to the Minister along the lines of the member's urgency motion today.

Hon A.J.G. MacTiernan: That is the way your wife always raised the issue of workplace agreements at her school. It does not reflect on you the fact that your wife was a promoter of that issue.

Hon N.F. MOORE: I do not know anything about Mr Schapper other than the fact that he is a friend of Hon Alannah MacTiernan. Perhaps the member is raising this issue on his behalf. Mr Schapper has been sent a response by the Deputy Premier, who pointed out very clearly the membership of the judging panel and its chairman. He also advised that the terms of the award are that the panellists' decisions are final and that no correspondence will be entered into. He chose to pass on to the chair of the panel Mr Schapper's views about the appropriateness or otherwise of Robe River's being a finalist.

The simple fact of the matter is that we have an award sponsored by a whole range of industries in Western Australia and by the Department of Commerce and Trade to try to encourage best practice in a whole range of areas. In fact, the awards go beyond that raised by the honourable member; there are industry categories, the C.Y. O'Connor award for excellence in engineering, quality management awards, the WA Design Award, the research and development award, the export category and new export awards and a whole range of others that are very appropriate in encouraging companies in Western Australia to perform well. Anyone who wants to apply can do so. Obviously Robe did that and the panel made a decision that Robe would be a finalist. That seems to be a fair and reasonable approach.

For the member to bring this issue to Parliament is an extraordinary waste of time during an urgency motion. The Government said yesterday that it would be prepared to continue the debate on Aboriginal reconciliation that Hon Tom Stephens found urgent enough to raise the other day, and fair enough. We said today that if the Opposition agreed to forgo the urgency motion we would continue that debate and resolve it.

Hon Tom Helm interjected.

Hon N.F. MOORE: Hon Tom Helm thought it was so important that Hon Tom Stephens, instead of moving an urgency motion, took advantage of the first hour of sitting and moved his motion. Yesterday the Government offered to continue the debate on Aboriginal reconciliation instead of having an urgency debate - giving it the same urgency that Hon Tom Stephens gave it last week. However, members opposite decided that this urgency motion, which refers to an award made in 1995 by an organisation quite independent of Government, should take up an hour of the Parliament's time. It is an extraordinary waste of time. If members opposite want to indulge in a Robe River bashing exercise they should have moved a motion along the lines that this House condemns Robe River, or words to that effect. They should have been up front -

Point of Order

Hon TOM HELM: Mr President, can you explain to the House what that has to do with the motion? We welcome the Minister's views, but we have a motion before the House that needs to be debated.

The PRESIDENT: I believe that the Minister is addressing the motion. There is no point of order.

Debate Resumed

Hon N.F. MOORE: I was trying to bring Hon Alannah MacTiernan back to the motion. She introduced a motion about awards and then talked about Robe River. She should have told the House what the motion was about. When I saw the motion, I asked myself, "What does that have to do with the price of fish?" As soon as I discovered that this was about a couple of letters sent by Mr Schapper to the Deputy Premier and his response, I realised - about five minutes before the sitting began -

Hon Tom Helm interjected.

Hon N.F. MOORE: Hon Tom Helm should mind his own business. I will have to listen to him go on about Robe River again.

The PRESIDENT: Order! All members should stop their interjections. The member will get an opportunity to speak when I give him the call in due course. However, he should let the Minister finish.

Hon N.F. MOORE: I have no doubt that I will have to sit here and listen to Hon Tom Helm go on and on, as he has in the past, attacking Robe River. He should simply put the issue on the Notice Paper so that we know what it is all about. We could then all prepare our notes for a debate on Robe River. Members opposite should not come in here and talk about awards that they do not like; they should be up front and tell the House what their gripe is, put it on the Notice Paper and have a debate. Bringing in an urgency motion today has wasted an hour of the Parliament's time.

Hon Tom Helm interjected.

Hon N.F. MOORE: Hon Tom Helm should settle down. I have my 10 minutes.

Hon Tom Helm interjected.

Hon N.F. MOORE: I am sure the member will have a go. What we have here is a motion referring to export awards that is simply another exercise in Robe River bashing by members of the Opposition. They have done that ever since this company turned itself around and made itself a more profitable, competent, efficient export earner for Western Australia, earning countless dollars for the State and providing very secure and significant employment for people in the north west. All members opposite ever do is criticise. It would be helpful for everyone in this House, if members opposite want to debate Robe River, if they were to put a motion on the Notice Paper to that effect. They should not use subterfuge and backyard strategies for this sort of motion. It is absolute rubbish.

HON TOM HELM (Mining and Pastoral) [3.00 pm]: My patience is sometimes tried in this place when a failed school teacher, who has spent a bit of time in the Pilbara but has never worked for Robe River, has the indecency to tell this House that he knew about some rorts that took place. Had the Minister ever listened in the past, he would know that I have admitted, and the unions have admitted, on more than one occasion that the unions were at some fault with regard to Robe River; but those comrades opposite never admit any fault. We have to sit here while members opposite get the help of the President, quite properly, to shut us up while they tell us the obscenity that everything is sweetness and light at Robe River. Members opposite do not know about a friend of mine - a young man with three young children - who was killed at Robe River the year before last. We must listen to members opposite go on about how everything at Robe River is wonderful.

We are not attacking Robe River. We are asking people to consider whether it is right for the taxpayers of this State to pay for Robe River to be in line for the human resources best practices award. Robe River is not the worst company in the world - although it is not the best in the world - but it does have some problems with its work force. If the failed school teacher opposite spent a bit of time in those townships that are owned by Robe River, such as Pannawonica, he might come across the same thing as I do, where people are afraid to be seen speaking to me in the shopping centre or the community centre because I am a Labor member of Parliament and a proud unionist and they might end up in the dust squad or be refused the opportunity to earn extra money; so they hand me little notes saying, "Please give me a ring on this number", or "Please come to see me at home tonight."

Hon N.F. Moore: That used to happen to me before the changes. People would ring me anonymously all the time because they were too frightened to be seen talking to me.

Hon TOM HELM: That is wrong.

The PRESIDENT: Order! Hon Tom Helm was very concerned that the debate be confined to the terms of the motion. I suggest that the member practice what he preaches.

Hon TOM HELM: If the Minister did receive anonymous telephone calls, that should not happen. I know what he is talking about. I am not saying that the unions are pillars of integrity, but I was at Robe River in 1986 as an ordinary iron ore worker and a trade unionist - not as an organiser, not as a shop steward, not as a convener -

Hon P.R. Lightfoot: You were a former union organiser from the United Kingdom, so that is not accurate.

Hon TOM HELM: From where did Hon Ross Lightfoot get that information? He is wrong.

The PRESIDENT: Order! Hon Ross Lightfoot should not be interjecting; and what does that have to do with it anyway?

Hon TOM HELM: You are right, Mr President. I should not be led by fools.

Hon P.R. Lightfoot: Look in the mirror.

Hon TOM HELM: I am looking in the mirror; Hon Ross Lightfoot is the fool.

The PRESIDENT: Order! I want Hon Tom Helm, and other members too, to stop the course that is being followed now of issuing insults to members across the floor. I have said to members many times that they do not have to like what people say in this place, and they certainly do not have to believe it, but they do have to listen to it.

Hon TOM HELM: I go back to square one. This is not an exercise in bashing Robe River. This is not an exercise in trying to support the trade union movement by saying it is perfect. We are trying to get people to question whether taxpayers' money should be used to give an award to a company which has certain flaws. Probably all companies have some flaws, but in this instance it is an insult to give this human resources award to this company. We cannot sit here and say nothing when we hear the obscenity that Robe River is perfect, any more than members opposite can sit there and say nothing when we say the unions are perfect. We are asking people to make a judgment about the appropriateness of the Department of Commerce and Trade, which is taxpayer funded, giving this award to Robe River.

Robe River asked a lady who had worked for that company for 23 years as an accountant to drive a Haulpak truck. Do members opposite remember that case? It is quite famous. This lady was getting on in years. She knew how to drive, and she probably could have learnt to drive a Haulpak truck, but that prospect would be a bit daunting for anyone who had been on a typewriter for most of their working life, whether male or female. Do members opposite remember the case in 1992 when Robe River sacked 13 or 14 people because they refused to sign a no strike agreement, and the Supreme Court ordered that those people be reinstated?

Recently Hon Alannah MacTiernan brought to the attention of *The West Australian* the case of a former Robe River employee who was being sued because he had an accident at work. Is it coincidental that he is one of the workers who refused to sign a no strike agreement and who was sacked but later reinstated? He now lives 120 kilometres north of Bundaberg in Central Queensland. This young man, who has a young family, as we can see from the photograph in *The West Australian*, will never work again because his last employer in 1992 was Robe River; his wife is working as a bus driver. Robe River has paid more than \$50 000 in pursuit of this person because he accidentally damaged some of its property. I do not know whether things have changed that much in the world, but usually an accident is seen for what it is, steps are taken to ensure it does not recur, and if there is any negligence, the person is punished, perhaps by being sacked. That is usually what happens when an accident occurs, unless the person has wilfully damaged property, in which case a criminal offence has been committed. Accidents usually involve more than one person; in other words, there is negligence or inadequate supervision on the part of another. Accidents generally cannot be pinpointed to one person, unless they are wilful, and there is no suggestion of that, although Robe River has not commented on this case. The only thing that we can assume from this case - I suggest it is a fair assumption - is that he is being pursued because he is one of the people who took on Robe River in 1992 when the unions were being decimated.

When Charles Copeman took over from Peko Wallsend Ltd, I was frustrated to see what he was doing with those towns and workers, so I asked him whether he would talk to me, and we spent four hours talking about the things that were happening. He knew who I was and where I came from, and I knew who he was; we were not hiding our lights under a bushel. I said to him at the end of it that he had won the battle against the workers; he had destroyed the unions and undermined the workers. I said that there was uncertainty and no social cohesion; the whole fabric of societies at Wickham and Pannawonica had been destroyed. They went from being the best mining towns in the north west to the worst. He did that by creating fear and uncertainty. I asked why could he not ease up now that he had won, because there was no union to protect those workers. His point was that it was his right to do what he needed to do.

HON P.R. LIGHTFOOT (North Metropolitan) [3.12 pm]: It is a tragedy for the State to have this constant undermining of industry, particularly when that undermining is a direct extrapolation to our youth. In other words, if companies like Robe River, Hamersley and Mt Newman, which had been subjected to the same militant trade union thuggery that went on in Wickham and Pannawonica for 20 years, failed to employ youth and failed to value add and merely dug a hole in the ground every time they wanted to make bigger profits, or got bigger dump trucks and shovels and merely created bigger holes, it was not because the companies did not desire to value add or to downstream process, it was merely because those companies were subject to being garotted by trade union thuggery. I applaud Charles Copeman for the effort he put in to turn the situation around. That is one of the reasons that the award for human resources was issued under the Western Australian industry export awards. For several years I have delivered some of these awards to the recipients. It is not just by the deregulation of energy through the split up of the State Energy Commission that we allowed the deregulation of gas in the Pilbara that brought about a dramatic drop in the price of gas. The price decreased from \$4 GJ to less than \$1.50 GJ. I am told that industry can do a deal on gas for not much more than \$1 GJ. That is one reason that export awards went to Robe River. Another reason is that it brought about some placid behaviour by the trade union movement and the staff of Robe River, Newman and Hamersley, the three big producers there.

The first step in value adding in generic figures is \$25 a tonne for export ore, and depending on the Fe content of the hot briquette the price is something like \$180 a tonne. In any man's language it is a quantum leap to go from \$25 to \$180 a tonne with the two raw materials that are in abundance in the north west. Those companies should receive an award every year for what they have done to Western Australia and for what they add to the national income.

Hon Kim Chance: When did this freeing up occur in Robe River? Can you put a date on it?

Hon P.R. LIGHTFOOT: It certainly started in 1986.

Hon Kim Chance: Who was the Government then?

Hon P.R. LIGHTFOOT: It was a federal Labor Government. The State Government tried tooth and nail to stop it.

Hon Kim Chance: It was a state Labor Government.

Hon P.R. LIGHTFOOT: The State Government was at the zenith of its power at that stage. It was only the tenacity of Charles Copeman in freeing up the labour markets in the Pilbara that brought about the billions of dollars that are invested in the north west, and that are proposed to be invested in the Pilbara particularly for direct reduced hot briquette plants. Had that not happened there would have been very little probability of any additional industry in the Pilbara, and, as I said, those dump trucks, shovels and holes would merely have got bigger. Members opposite are knocking a company that is doing that.

The awards cost practically nothing. They are attractive, and I will talk to the Deputy Premier about using different ink so that his signature does not fade, otherwise they are very good. Those awards are received very well by those people for their contribution to the State. Those awards should not be undermined. Whether the subversion is intentional or otherwise, it is detrimental to Western Australia and as a result to Australia. This State produces 27 per cent of Australia's export income, and most of that comes from the Pilbara, either through gas hydrocarbons or iron ore. This Government is committed to raising that from

the \$12b it was when we came into office to about \$24b or \$25b by the third millennium. We cannot do that merely by exporting raw materials. Obviously there had to be a formula to allow for the downstream process of those industries, which is where the real money is, and \$180 a tonne for hot briquettes is only the start. When we start exporting extruded and cold rolled iron ore and other forms of iron ore, then we will be getting up to \$6 000, \$7 000 or \$8 000 a tonne from something that we exported at \$25 a tonne.

Point of Order

Hon KIM CHANCE: The member is speaking to a Bill which is shortly to be debated in this House; his comments have nothing to do with the motion, as interesting as they might be.

Hon Mark Nevill: It is straight out of the second reading speech.

The PRESIDENT: Order! That is not a point of order. It is difficult to define where debate on the motion begins and ends. However, I take the point that the member is a bit wide of the point.

Hon P.R. LIGHTFOOT: I am speaking on the awards for export. I cannot speak on the awards for exports, Sir, unless I specify why it is a human resource. It is not just tied to human resources, it is specifically the WA industry and export awards and in particular the process adopted.

The PRESIDENT: Order! I know what it says.

Hon P.R. LIGHTFOOT: May I continue?

The PRESIDENT: If you can relate it to the motion.

Hon P.R. LIGHTFOOT: Do I disregard the export awards?

The PRESIDENT: No.

Hon Mark Nevill: Just put away the second reading speech for direct reduced iron.

Hon Kim Chance: We are looking forward to his speech on the Bill.

The PRESIDENT: Order! He might not have to make one now.

Debate Resumed

Hon P.R. LIGHTFOOT: It was a good tactic to waste time.

In particular the export awards go to the process of human resources. The human resources - notwithstanding the alleged evidence that came from the other side - are not judged by my peers and colleagues in this place, but by people from a wide cross-section of industry who contribute directly or indirectly to the success of that area. One cannot say that is not fair. It is not judged by the Deputy Premier, the Leader of the House or the Premier making a unilateral decision on who gets awards. It is judged on the evidence presented to people on the committee, which does a good job.

I have delivered those awards to the recipients for several years and have felt privileged to do so. One award that I have delivered in two consecutive years has been to Gemco, which is a wholly owned subsidiary of Futuris Corporation.

Hon Kim Chance: That is interesting.

Hon P.R. LIGHTFOOT: It is one of Western Australians's oldest companies. George Moss, if I recall, was the founder of the company in the 1930s.

Hon Kim Chance: It has some interesting connections.

Hon P.R. LIGHTFOOT: It is an excellent company. It has some of the most technologically advanced railway safety detection machines and railway modules for training drivers in Western Australia.

This is an incentive that companies get. They get it by the award system that recognises that they are pre-eminent in their industry and in their profession. Why should we then not give an award for human resources? Without those human resources there can be no awards for engineering excellence or exporting excellence or for any other area unless it is related, directly or indirectly, to human endeavour. The Robe River company has settled down. We still have to work a little on the Mt Newman organisation, but in terms of tonnage produced and profit per capita, Robe River Mining Co Pty Ltd is pre-eminent in that field.

I endorse the awards unequivocally. I have no criticism of them. The companies that receive them deserve every commendation and encouragement that we in this place can give them. I feel very sorry that, once again, as with the housing industry in this State, which is the best in Australia, Hon Alannah MacTiernan has now shifted her sights to a higher goal of trying to undermine one of the great industries in Australia and the world.

HON KIM CHANCE (Agricultural) [3.20 pm]: This issue raises a matter of fundamental importance and, unfortunately, I am not able to spend much time on it; I wish I could. In addressing the motion, I believe the Minister -

Hon N.F. Moore: Why don't you get someone to move a substantive motion and debate that?

Hon KIM CHANCE: I do not have time to do that. Even though the Minister tried to minimise the importance of the motion, he has missed the whole point: Western Australia's credibility is on the line. That is what this motion is about.

Hon N.F. Moore: You are getting stuck into those judges; that is exactly what you are doing.

The PRESIDENT: Order! Order! For crying out loud, I ask members to come to order.

Hon KIM CHANCE: What happens when the Department of Commerce and Trade awards finalist status in human relations best practice to a company like Robe River Mining Co Pty Ltd, a company about which its employees say it is risky to venture an opinion? Of all the companies in Western Australia, including companies operating in the same field and in the same region, why pick Robe? Our reputation is at stake. The Department of Commerce and Trade -

Hon N.F. Moore: The department is not a judge on this.

Hon KIM CHANCE: - said that this is a pre-eminent award. We are judged internationally by this award, more so probably than any other branch of the Western Australian Government. The Department of Commerce and Trade is watched by our neighbours and our trading partners. We are saying to them that it is okay to act like Robe River. I wonder how the federal Minister for Foreign Affairs and Trade feels about that. After all the good work the Australian Government has done in labour relations and in human rights in our neighbouring countries, how does Alexander Downer feel about the Government of Western Australia sending out the message to the world that the way Robe River operates is the way all companies should operate; this is the best we can do?

What about the similar companies in the same region? What about BHP Iron Ore? How many of its employees will come to those opposite and say that they are frightened to express an opinion about the way in which that company operates? I, and my friend and colleague Hon Tom Helm, who has far more knowledge than I do of this industry, will tell those opposite now that not a single employee of that company will make that comment. Why is that? Because BHP Iron Ore is a unionised company. There is the capacity to speak to management via the union movement - and that is exactly what the union movement is for. However, none of those opposite will realise that. They are quite happy to stand in this House and say that a company that exploits its workers is carrying out best practice. What an absolute joke!

Hon E.J. Charlton: You should start thinking about your endorsement.

Hon KIM CHANCE: I do not have to worry about my endorsement, and that issue is not relevant to this motion in any event.

Hon Mark Nevill: BHP built the direct reduced iron plant, not Robe.

Hon KIM CHANCE: My friend the Deputy Leader of the Opposition has just made the point. I agree with much of what Hon Ross Lightfoot said about iron ore beneficiation; in fact, I could not agree with him more. However, which company is leading the field in the Pilbara in iron ore beneficiation, which company facilitated the natural gas pipeline, and which company put in the hot briquetted iron plant? It was BHP Iron Ore - the unionised company. Which company is leading in the Pilbara? The unionised company. It is not the innovative Robe River; it is BHP Iron Ore.

HON A.J.G. MacTIERNAN (East Metropolitan) [3.25 pm]: Mr President -

Hon N.F. Moore: Will you tell me that the Department of Commerce and Trade is not a judge on that panel?

Hon A.J.G. MacTIERNAN: I thought the comments of Hon Kim Chance set this debate very much in context. This is not an attack on industry in Western Australia; this is an attempt to show that the Government needs to be responsible when it is handing out accolades to companies, when it is using taxpayers' funds and the status of government to enhance the public relations of a company. It must make sure that this company has some reasonable claim to the accolade that has been awarded. We do not have any hesitation in exposing this company.

Hon N.F. Moore: Why don't you put a motion on the Notice Paper and discuss it, instead of taking this back door route?

Hon A.J.G. MacTIERNAN: The essence of the issue is that proper processes are not in place to ensure that a disaster like this cannot happen, to ensure that the Government's imprimatur and taxpayers' funds are not used improperly to assist a company, to give a free kick to a company that manifestly does not deserve it.

Hon N.F. Moore: Who should be a judge?

Hon A.J.G. MacTIERNAN: Equally important is the fact that it undermines the credibility of these very important awards. We understand and we appreciate the significance of the awards. It is precisely for that reason that we are very concerned that a company such as this, so manifestly undeserving of this award, should be granted it. We do not believe it is a waste of the time of this Parliament to set out for those opposite the concerns employees are showing about the circumstances in their workplace, particularly under the industrial relations regime the Government is promoting.

We believe it is very important that this Parliament and the public understand just what is going on and the dynamics that are involved as a consequence of the industrial relations philosophy the Government is espousing and promoting. Every time we raise issues concerning human resources or speak of the climate and the culture of cooperation that we should be promoting in the work force, and point out that under the workplace agreement system this is not being delivered, those opposite say that we are talking a lot of union mumbo jumbo and are just here as the clients of the union movement.

The great significance of the documents that we were able to read, in part, into *Hansard* is that here is evidence paid for, collected by the company -

Hon P.R. Lightfoot: It is fairly old evidence; three years old.

Hon A.J.G. MacTIERNAN: Evidence from 1995 is not old.

Hon I.D. MacLean: You said 1991 to 1993.

Hon A.J.G. MacTIERNAN: Tex was obviously asleep! The first report was from 1993. We then followed up with a more general report from 1995. This is the sort of industrial relations system that the Government believes is desirable and should be promoted. Clearly on the evidence of not only the blue collar workers, but even the supervisors, there is a fundamental problem in the way they work in these companies.

[Motion lapsed, pursuant to Standing Order No 72.]

HUMAN REPRODUCTIVE TECHNOLOGY AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon Max Evans (Minister for Finance), read a first time.

Second Reading

HON MAX EVANS (North Metropolitan - Minister for Finance) [3.30 pm]: I move -

That the Bill be now read a second time.

This Bill has two main purposes: To enable the Western Australian Reproductive Technology Council, after considering the circumstances of a particular case, to extend the permitted storage period of embryos or eggs in the process of fertilisation; and to remove the requirement that the names of bodies that make nominations for the purposes of appointing persons to be members to the council be prescribed in the regulations.

Section 24(1) of the Human Reproductive Technology Act provides that the code, which is formulated under section 15 of the Act, may make provision as to what, in particular circumstances, constitutes an excessive time for the storage of eggs or sperm, an egg in the process of fertilisation or an embryo, but that no egg in the process of fertilisation or embryo shall be stored for a period in excess of three years. Subsection (2) of that section makes provision for control and power over embryos to vest in the Commissioner of Health in certain circumstances such as the death of the persons on whose behalf the reproductive material is stored. Members may recall that when the Bill was considered in Parliament there was considerable debate on the question of whether the storage of embryos and eggs in the process of fertilisation should be permitted at all and, if so, what should be the permitted storage period. The final result was that Parliament decided on the maximum period of three years and that is stipulated in section 24(1). The comparable period in Victoria is five years or longer with approval under the new Infertility Treatment Act 1995, and in South Australia it is 10 years. In other States there is no legislative limit but the practice is to store embryos for five to 10 years.

The principal Act does not include transitional provisions to regulate the storage of embryos already developed at the time of the commencement of the Act. However, legal advice has been received to the effect that the permitted period of storage of those embryos may be reckoned from the time of the commencement of the Act. Therefore, it is possible that there may now be embryos which have been in storage in excess of three years. Currently, approximately 3 000 embryos are in storage in Western Australia. Of these, several hundred are likely to have been in storage before the commencement of the principal Act.

The three year limit to embryo storage was decided by this Parliament after considerable debate. The strong feeling in the Parliament was that embryo storage was not desirable, as it could lead to many complex legal and ethical dilemmas. Concern was also expressed that storage should be limited to minimise the build up of large numbers of unwanted embryos. These sentiments are specifically referred to in the preamble to the Act which was drafted during the passage of the Bill. However, safe storage of eggs is still not technically possible and the routine incorporation of embryo storage is an important element of in-vitro fertilisation practice around the world as it reduces the number of times a woman undergoing treatment must be subjected to the discomforts, risks and expense of ovarian stimulation and egg collection.

Under the Act there are a number of requirements for licensees that seek to minimise the build up of the number of embryos in storage, as no embryo may be stored unless it is likely to be used in future treatment, and a licensee may not carry out repeated egg collection for development of embryos when a couple has three or more of their embryos already in storage. Ample evidence is available to show that for many couples who achieved a pregnancy in an earlier treatment, the three year limit for storage may be too short to allow for a responsible family spacing. For a variety of reasons, including financial, they may pursue further treatment using their stored embryos earlier than is optimal, rather than having to dispose of embryos which they may wish to use later to complete their family.

In the United Kingdom the Human Fertilisation and Embryology Act 1990 provides for a maximum storage period for embryos of five years. The United Kingdom Human Fertilisation and Embryology Authority advised the UK Government in July 1995 on the issues surrounding the statutory storage period for embryos. In so far as it relates to the maximum permitted period, the Government does not necessarily agree with the views adopted by the UK authority, but it does agree that the council should be able to extend the permitted storage period in special cases.

The Government prefers that each case be considered on its merits and that the council be allowed to consider the circumstances of each case. This is more in keeping with the original intentions of the Parliament as set out in the preamble to the Act. Therefore, the normal period will remain at three years, but in view of the circumstances of each case the council will be able to extend the period. Some of these circumstances could be medical or social and there should be a presumption against extended storage, but the presumption may be rebutted and the period extended in the case of special categories of patients, such as those who are ill. This approach would enable the council to extend the period in special, not exceptional, circumstances. In doing so, the council must consider the cases on a case by case basis. On giving an extension, the council is to report it to the Minister. The Minister would not be involved in the decision-making process - so that it would not be a political decision - but would be informed. This could activate the Minister's power to give instructions to the council under section 12 of the Act, but only within the limits specified in that section.

As indicated earlier, the principal Act did not include transitional provisions for embryos formed prior to the commencement of the Act and that problem must be dealt with in this amendment. The approach taken in the Bill is to group embryos into a category commenced before 7 October 1993 - that is, six months after the principal Act came into operation - and a category comprising those commenced after that date. Under clause 2(2) this provision is retrospective. The result of this approach is that the council will be able to give consideration to applications for extensions in relation to embryos whose permitted period of storage would, but for this amendment, have expired on 7 April 1996 and in the period of six months after that date. The amendment confers power on the council to impose conditions when an approval is given.

The Minister for Health will propose that a parliamentary select committee be established to inquire into and report on the whole question of storage of embryos. It should be remembered that embryos will continue to be developed during the proceedings of the committee.

The other amendment is not a significant one and its purpose is to simplify the procedures that apply to making nominations for appointment to the council. Currently, the Act requires that the names of the bodies with relevant interests be prescribed by regulation. The Minister, in making nominations for appointment, must, by virtue of section 9(2), bear in mind the need to ensure that the council has available to it from its own membership persons who represent both the providers and the users of reproductive technology, experience in public health matters and ethical guidance. Suitable bodies to make nominations to represent certain of the required interests on the council tend to be ephemeral, so prescribing their names in the regulations is inappropriate. Therefore, it is proposed that section 8(2)(a)(i)(D) of the Act be amended to delete the requirement to prescribe the names of nominating bodies in the regulations. I commend the Bill to the House.

Debate adjourned, on motion by Hon Tom Helm.

ADDRESS-IN-REPLY

Motion

Resumed from 27 March.

HON MURRAY MONTGOMERY (South West) [3.40 pm]: I support the motion moved by Hon Barry House. I take this opportunity to congratulate the Governor, Major General Jeffrey, and Mrs Jeffrey, for the dignified and friendly way they move around this State and take the time to speak to the people. They have been readily accepted by the community.

I will draw to the attention of the House a number of issues concerning my electorate. The importance of agriculture in the South West Region is acknowledged by the Government and that is demonstrated by the way it is relocating staff from Agriculture Western Australia in Albany to a new building. The final cost of building the new premises has not been assessed but it will certainly be in excess of \$6m, and the office equipment will be an additional cost. Previously there were 70 employees with Agriculture Western Australia in Albany. Although the new building will be officially opened by the Minister for Primary Industry in a few weeks, I understand that approximately 80 employees have already moved into the building. It is intended that the building will accommodate between 100 and 110 employees. This, in itself, indicates that the Government is keen to relocate its employees to regional centres.

Under the new structure of Agriculture Western Australia teams will be established to take control of meat and wool issues. A person who has excellent credentials and is well respected in her field of meat research will head the meat team and I refer to Renata Poliska. Rob Kelly, who was previously based in Perth, will head the wool team. I have known Rob for a number of years; he is well respected and will bring to Albany a skill that will be appreciated. In addition, a sustainable rural development team will be established and the south coast program manager will be based in Albany.

Sitting suspended from 3.45 to 4.00 pm

[Questions without notice taken.]

Hon MURRAY MONTGOMERY: I was addressing the fact that Agriculture Western Australia was in the process of relocating its office premises in Albany and that there was at that stage an increase in the staffing levels at the office. It is proposed that those staffing levels will increase by approximately 20 or 30 more employees. That indicates the Government's desire to see government employees relocated into the country areas. It is one of those departments that can achieve that and put people where they are required. There are not too many farms in the metropolitan area.

Hon Sam Piantadosi: There are more than you think.

Hon MURRAY MONTGOMERY: Obviously the member opposite is reading my mind. He makes a spurious comment. Of course some horticultural activities take place in the metropolitan area.

I turn to an issue which Hon Bob Thomas touched on; that is, industrial fires and the occurrence of fires in industrial buildings in the Albany area. One of those fires occurred in a fish processing plant. It was totally gutted. The proprietors of the company paid their insurance premiums to the absolute limits that they were allowed in order to be fully insured. However, as a result of the way the insurance company's assessor valued the insurance, every time the owners sought additional payments the insurer challenged the claims. The insurance company's arguments leave a lot to be desired. The fish processing company had a long association with the insurance company and had fully paid its premiums. The fact that it took a long time to effect payout made it difficult for those who were employed by the company. The company has lost virtually a whole season of fish processing. It will rebuild on its present site; however, the loss of up to 28 jobs because of the fire has had an impact on the community. It has a direct impact on those who were employed by the salmon and herring fishermen during the fishing season. Authorities such as the local shire, the Water Authority and Western Power have attempted to make it as easy as possible for the company to rebuild.

That is a credit to them because not only is it an opportunity for the company to rebuild but also it provides it with further market opportunities, and I am sure we will hear more about that company's proposals in the months ahead.

I turn now to the apple industry, which is another area of primary production. The apple industry has undergone many changes over the last few decades because of the relationship between the local market and the export market and the need for that industry to pick itself up after it was decimated when our export markets in Europe were absorbed into what is now the European Community but was then the Common Market. The apple industry is now going through a rebuilding process, and new varieties are being bred, which come under plant breeders' rights, and they are being marketed worldwide in a way that it will be of advantage not only to breeders in this State but to all breeders of that fruit. The leading apple growers in the world have reached agreement with our leading apple growers about how they can best serve the industry on a global basis, because the markets are very interested in buying quality fruit, and Western Australia does produce quality fruit and it is important that we get the best price in the marketplace. The people who are involved in that industry should be congratulated for taking that step, which was led by growers in this State, but included our eastern states and federal leaders within the apple industry.

Hon Sam Piantadosi: Why have we lost market share in South East Asia to our counterparts in the Eastern States when we are the closest to South East Asia?

Hon MURRAY MONTGOMERY: I am talking about the apple industry.

Hon Sam Piantadosi: That is part of horticulture.

Hon MURRAY MONTGOMERY: It is one of a number of facets that comprise horticulture. Horticulture includes grapes -

Hon Sam Piantadosi: That is viticulture.

Hon MURRAY MONTGOMERY: Perhaps there are other reasons that we have lost some of those markets, and they may be only short term.

Hon Muriel Patterson commented in her speech about the four people who were tragically killed recently in Albany. I did not know all of those people, but I did know the police detective, Charlie Scott, because I have had dealings with him over a period of time. He was very outgoing and amicable to talk to. I was very saddened by his death, and I know that his workmates were very distressed. I cannot speak for the custom's officer and the federal police officer. However, I would like to make some comments about the pilot of the plane, John Bell. I have known John virtually since he first came to Albany. He used to stay at a friend's place just down the river from where the then Cheynes Beach Whaling Company's float plane used to take off and land on its various sorties into the Southern Ocean for whale spotting. John then moved to Geraldton to take up a position with one of the Geraldton fishing companies, but I picked up my friendship with John and his wife again when John came back to Albany to manage Whaleworld. John's death is a great loss to Western Australia and to the fishing industry, and also to the spotting of the southern white whale and the humpback sperm whale around our southern coast and up to Carnarvon, in which John was still involved prior to his death. I will certainly miss his friendship.

Another matter that this Government has promoted and tried to bring to fruition is a new abattoir in Western Australia. I am concerned that the Opposition is claiming that the Government has broken its

promise to establish a new high tech abattoir to replace Robb Jetty. Yesterday in Albany, after environmental studies which have taken 15 months, Mr Roger Fletcher from Dubbo, New South Wales, gave a commitment that he will commence immediately to build an abattoir at Narrikup, which will be twice the size and employ twice the number of people who were employed at Robb Jetty.

Hon Sam Piantadosi: How much kill is available in the lower west area now, Mr Montgomery? How many sheep are being taken to South Australia for slaughter?

Hon MURRAY MONTGOMERY: I will come to that later. Not only will this abattoir be a new hi-tech abattoir, it will also be the most modern in Australia. Hon Sam Piantadosi will be pleased to hear that Mr Fletcher believes in training on the job. He also believes in locals being employed.

Hon Sam Piantadosi: I am aware of his operations in New South Wales.

Hon MURRAY MONTGOMERY: He is very keen to see that the people who are employed on the construction of his plant come, as far as possible, from the local community. He will bring people from the East to train his workers to operate the abattoir. I heard on ABC radio yesterday afternoon that he believes it will be operating in 18 months. Once the staff are trained, those people from the Eastern States will return to their home bases. That is one of the best announcements I have heard for some time, because it will obviously have an impact on employment levels in the southern region.

Hon Sam Piantadosi: It has been in the wind for three years.

Hon MURRAY MONTGOMERY: It is interesting that Sam Parliament says it has been in the wind. The Minister said in 1993 that he believed it was possible to get a new abattoir in this State. When he found the person to build the abattoir and he made the appropriate announcement, the environmental studies had to be done.

Hon Sam Piantadosi: They had been carried out, you dill.

Hon MURRAY MONTGOMERY: That comment shows how much the honourable member understands the processes that the abattoir went through!

Hon Sam Piantadosi: I have a letter from the leader of your party that tells me that, you twit.

Hon MURRAY MONTGOMERY: The honourable member may be referring to himself. That is fine, I do not mind that.

Hon Sam Piantadosi: I am referring to you.

The DEPUTY PRESIDENT (Hon Barry House): Order!

Withdrawal of Remark

Hon MURRAY MONTGOMERY: I believe the honourable member is being derogatory and I ask him to withdraw.

The DEPUTY PRESIDENT: Order! If the member has taken offence and asks for something to be withdrawn, it has to be withdrawn.

Hon SAM PIANTADOSI: If the member took exception to the fact I referred to him as a twit, I withdraw.

Debate Resumed

Hon MURRAY MONTGOMERY: It is interesting to note that the proponent of the abattoir has to meet a time line with the Environmental Protection Authority at every stage that he goes through. However, there is no time line for the Environmental Protection Authority to come back to the proponent of the abattoir. The abattoir proponent had to navel gaze while waiting for responses from the Environmental Protection Authority. Changes may be required in the future to require a time line not only for the proponent, but also for the EPA so that people who want to invest in this State know that they will receive a yes or no answer quickly about whether they should invest. Obviously, somebody who is investing millions of dollars cannot hang around. It has been stated in other forums that this abattoir proponent had looked at setting up an abattoir in New Zealand. If that is the case, Western Australia and Australia would have been the losers. We must consider these matters, particularly as this abattoir will be an export only abattoir and is looking at killing both sheep and cattle. It will not compete directly in the marketplace with the other abattoirs in the southern part of the State. I believe the benefits of this abattoir will have a huge impact on the southern region as it will on the rest of the State.

The Meat Marketing Corporation has a contract with Metro Meat International Ltd to slaughter up to 40 000 lambs a week. It is interesting that the current seasonal figure of lamb kill is only approximately 15 000. The backlogs that are affecting producers may be being caused by other factors, not the Meat Marketing Corporation. It may have something to do with limited space available for other butchers and the volume that is moving through the marketplace.

Another area that I would like to touch on is the funding given by the Lotteries Commission to various community groups. I had the opportunity to go to Margaret River and I ascertained that the tourist bureau there had applied for a grant to assist in the provision of access for disabled people. The bureau, through the shire, saw this as an opportunity to assist people to see some of the areas that in the past they might not have been able to access. The shire will ensure that the caves can be seen by people less fortunate than

those who are fit, well and able to wander through them. Disabled people need to be given access not only to these caves, but also to other tourist attractions. I congratulate the bureau for its foresight and what it has done for the community in this instance.

I have been conducting some research on the growing of industrial hemp, and have made some recommendations to the Minister for Primary Industry. During the past 12 months I have been on a committee that has made recommendations about the problems relating to the trialling of this plant, whether farming communities see any possibility growing it, and other areas of the law that must be adhered to during any trial. There is still a short way to go. The first report to the Minister for Primary Industry indicated that some issues must be addressed and that a technical committee should look at the obstacles that may be blocking the progress of such a trial. I understand that very shortly the Minister will be getting a copy of the report from the technical committee and I am confident he will take the necessary steps following receipt of that report. It will be up to him whether the report is made public. Industrial hemp can be grown in the south west, but who knows where else it can be grown? It has multiple uses. From my research and observation of crops grown under trial in the Eastern States, it can be used in paper manufacture and in the clothing, chemicals and building industries. It has a wide range of uses. Should the Minister accede to some of the directives recommended in the first report, we may soon be able to trial industrial hemp in some areas, thus a new crop will enter the State. That can be assessed only after the Minister has received the report.

HON GRAHAM EDWARDS (North Metropolitan) [5.05 pm]: I appreciate the opportunity to speak in this debate. I will spend some time talking about the first report of the Legislative Council Select Committee on Cape Range Park and Ningaloo Marine Park that reported to the House in December last year. However, before I get around to that, I will make some brief comments on my attendance at the forty-fifth parliamentary seminar held in Westminster a couple of weeks ago - I was fortunate to represent this branch of the Commonwealth Parliamentary Association - which I found a very interesting experience.

The television network in this House generally was the cause of some discussion. It is interesting to know that of the 25 delegates who were asked during a session what they thought of televising Parliament, to a person, they were opposed to it. Indeed, some were quite bitterly opposed to it. There were a couple of reasons: First, most people thought it was a waste of money - and I agree with that; secondly, some members saw it as a further intrusion by the media into politics. There is a general view among politicians within the Commonwealth that the media are already far too intrusive in politics and in the lives and actions of politicians. It is an interesting concept. Most members felt the media had a very important role to play in reporting on and keeping an eye on what Parliaments and politicians were doing. It seemed to most members that when footage of a day's sitting was used in television news broadcasts, there was never a balance of the day's proceedings and always those clips focused on times when parliamentarians were getting stuck into one another, usually during question time. I draw that to the attention of members because most delegates from various countries who had televising of Parliament felt that it was either a further intrusion or a waste of money. I tend to agree with the latter view. In the next couple of weeks, as soon as I receive further information from the United Kingdom, I will make a report about my attendance that I will seek to table in Parliament.

I have been a staunch believer that Australia should have its own Head of State. One of the things that has always annoyed me in this place is that I have had to swear allegiance to the Queen, Her heirs and successors. I have no problem swearing allegiance to the Queen, but I certainly do have a problem with swearing allegiance to Her heirs and successors. I note that the recently elected Prime Minister had the same problem. My preference is to have the ability to swear allegiance to Australia and to the people. I made this comment in one of the sessions during the conference. We had the opportunity to observe a magnificent ceremony at Westminster Abbey on Commonwealth Day in the presence of Her Majesty Queen Elizabeth and His Royal Highness the Duke of Edinburgh. I must say we were very fortunate to see Westminster Abbey being used. Each country within the Commonwealth was represented by young people carrying the flag of their nation and then representatives of various religions from within the Commonwealth had some message to give - generally of peace and goodwill.

Although I, like many other people, am very strong in the view that we should have a republic, likewise we are generally also very strong in our view that Australia should remain part of the Commonwealth. That is certainly very much my position. When the proceedings had finished a baroness - it does not matter whether I mention her name - came rushing up to me and asked, "What did you think of those proceedings?" She referred to me in a term relating to the fact that we came from one of the colonies. I said I thought that it was excellent and a privilege to see. She asked me whether that changed my mind about Australia's becoming a republic. I said that it absolutely did not. I asked if she had been to Gallipoli or knew its significance to Australia and the Commonwealth. She looked at me blankly. I was amazed to find that this baroness, and I am sure many of her colleagues, have no idea of the contribution and the sacrifice that so many Australians made as part of the British Empire in those days at Gallipoli. It is a sad reflection. Perhaps within the Commonwealth a strong reminder should be given to these people of the contribution and sacrifice by so many tens of thousands of Australian service men and women over the years to the Commonwealth and the British Empire. They may then see why many people in this country favour our becoming a republic.

I was interested to read a comment just the other day by a Liberal senator. He said that a survey he had conducted showed about a third of the members of this new Federal Parliament believed Australia should

become a republic. I assume a fairly large percentage of that newly elected conservative group would be undecided. I hope that, as we move towards the new century, the impetus of at least a good debate on whether Australia should become a republic is not lost. I hope that debate will lead to our becoming a republic.

I said earlier that I wanted to discuss the select committee report on Ningaloo Marine Park and Cape Range National Park tabled in this place last year. One of the changes which I was most impressed to discover at the Commonwealth Parliamentary Association conference was that standing orders of many Parliaments within the Commonwealth require a Minister or the Government to respond within a certain period to recommendations made by select committees. We should consider that in this place. It is a matter I will discuss with my colleagues. I may well bring forward a motion to enable us to consider the idea of ensuring that Governments respond within a certain period to select committee reports tabled in the Legislative Council. It is very important. A number of select committee reports have been tabled in this place, but so many seem to fall into a deep dark hole. All the work and effort put into preparing those reports and putting together the recommendations is not responded to.

Another issue I was pleased to pick up at the conference, at least concerning the British Parliament, was that it seems to work for the backbenchers and the committees. Generally the view of Presiding Officers is that their job is to provide opportunities for backbenchers and committee members to get a fair crack of the whip. The view of the Presiding Officer in the House of Commons is that the Ministers and the Opposition front bench should be able to look after themselves. The Speaker of the House of Commons thought her role was to look after the backbenchers and ensure they had a fair crack at the Executive. From my experience here the reverse is generally the case; although it did not seem to be when I was a Minister! I have always had the view that the real relevance of the Legislative Council in this State - if it had one - was in the way it conducted committees. I hope that as this House continues to examine its role, particularly in light of recommendations made by the 1992 royal commission, it will develop even more strongly into a House of committees. I see that as the only way the Legislative Council can justify its existence and become relevant.

I had the opportunity of chairing the Select Committee on the Cape Range National Park and Ningaloo Marine Park. That committee's membership comprised Hon Ross Lightfoot, Hon Phil Lockyer, Hon Murray Criddle and Hon Tom Stephens. That committee conducted itself very well. On not one occasion during the course of the deliberations did the committee become involved in party politics. The committee was able to debate the issues and reach a consensus on the recommendations without becoming guided by party policy. That is one of the reasons I am strongly in favour of the committee system. It enables members to get out of the hothouse of the political Chamber and, as individuals, look at the issues contained within the terms of reference and frame recommendations which are not based on party politics.

The Ningaloo select committee had a pleasant task to perform. Its brief was to look at the future of the Ningaloo Marine Park and the Cape Range National Park. The committee's deliberations required it to spend time at Exmouth, Cape Range National Park and in the waters of the Ningaloo Marine Park. I came away with the view that the Ningaloo Marine Park is one of the great, if not the greatest, natural assets of this State. However, the problem is that many people, particularly tourists from overseas, are beginning to recognise that. At the same time as they are drawn to wonderful assets like the Ningaloo Marine Park, they alert the tourist industry to the need for tourist facilities in these places.

When the committee studied the terms of reference all the members felt that one of the major problems that needed to be addressed around the Cape Range National Park and the Ningaloo Marine Park was the oil and gas exploration industry. It did not take the committee very long to realise that was not the main pressure on that area of the State. The main pressures were coming from the tourist industry. The establishment of the committee was very timely and I am sure the members opposite who were on that committee will agree with me. It was established at a time when Ningaloo was starting to become recognised worldwide. Hon Murray Criddle will agree with me that the committee was amazed at the number of people from Japan, England, Germany, Malaysia and other parts of the world who were in the area at the time of the committee's visit. They were drawn to the area by the phenomenon of the whale sharks.

Some sections of the tourist industry woke up to the popularity of Ningaloo and pressure was applied to build tourist resort facilities that would be totally inappropriate for that part of the State, for a couple of reasons. Firstly, proposals were put forward to construct tourist facilities on what were unstable dune areas and, secondly, some of the building proposals which the committee saw were totally alien to the geography and the flora and fauna of the area.

I said earlier that to serve on the committee was a pleasant job. Not only did the committee members travel by small boat from Coral Bay to Exmouth to familiarise themselves with the terrain, but also they had the opportunity to travel overseas. The first place the committee visited was Mauritius. The reason the committee went there is that there are many similarities between the fringing reef of Mauritius and that of Ningaloo. I should explain to the House that the difference between the Great Barrier Reef and the Ningaloo reef is that the Ningaloo reef is easily accessible from the shore. In some places it can be accessed by swimming only 20 or 30 metres from the shore. Of course, the Great Barrier Reef is protected because the shortest distance between the land and the reef is 52 kilometres and on occasions it is a very rough stretch of water.

Mauritius has a beautiful coastline, but it has been heavily impacted upon by tourism. The committee was appalled to see tourist facilities being built right on the coast so that the guests could merely step 20 or 30 paces out of the hotel onto the beach. Not only that, in a couple of instances the committee saw from glass bottom boats the damage that had been caused by coral reefs being blasted to give speed boats access to little lagoons. Tourist developers wanted to clear a passage through the reef so that speed boats could get in and out towing water skiers. The damage to the reef from the blasting was evident. The silt from the explosions had been shifted by the tide and is smothering the coral and taking away the light and oxygen which is required for the coral to survive. It was interesting to note that the people in charge of the fishery had no chance of combating the might of the ministry for tourism. It was obvious that tourism provided a greater cash flow for the economy of Mauritius than did the return from the fishery. The people involved in the fishery are very concerned about what is happening. They realise that this heavy-handed approach by man is doing a tremendous amount towards upsetting the very fine balance of the marine environment.

After visiting Mauritius the committee had the opportunity to spend a couple of days with the people in charge of the parks in Natal Province. The parks the committee saw in South Africa were very well run and controlled. There is plenty of opportunity for access by tourists and there are plenty of good tourist developments, but they all fit into the environment of the parks. They do not intrude or appear out of place and they function quite well.

The committee was very impressed with the management of the parks in South Africa. We had the opportunity to go to Kruger National Park and were impressed with its management, although it is now coming under much more pressure. Some of the managers were concerned about how that pressure was being applied by allowing access to bigger, and what people thought were better, tourist facilities. However, the saving grace in South Africa appears to be that the park managers are also responsible for decisions about what tourist facilities can be built. That is a very salutary lesson for us. On the other hand, the Mauritian tourism industry seems to have control of the situation and does not appear to care very much about the environment. In South Africa, where the park managers are in control, they are able to ensure that tourist developments go ahead in such a way that sensitive areas are not dramatically impacted upon.

The committee was also impressed by the thought that was put into some of the tourist developments at Satara in Kruger National Park. We stayed in little rondavels built on the perimeter of a very big oval. At the back of each group of rondavels were little barbecues. In the evenings, when people returned to the camp after spending most of the day looking at game, they would congregate at these barbecues. It was a wonderful environment for families to come together. We were seen as a group of travelling Australians without very much knowledge of barbecues. We were fortunate to have people each side of us providing us with lovely tucker. I had a lot of trouble keeping control of Hon Ross Lightfoot and Hon Murray Criddle that evening - a number of the people who were cooking had to keep a very close watch on their food. This arrangement was a very thoughtful way for the managers of that park to have built that facility. These were not five star facilities, but they were good and comfortable and they kept people in touch with the environment that they were visiting. They were very conducive to fellowship and I am sure that many tourists were brought together to share their experiences and that they were able to learn much more about the park. That contrasts with the view we have in Australia on the type of facilities that are built; that is, the facilities are designed to keep people apart rather than to bring them together.

From South Africa we went to Israel, primarily to spend some time at Eilat, which has a wonderful fringing reef. We then went to Egypt to see Sharm el Sheikh and the Ras Mohammed National Park. Members may recall that that was the site of the recent conference on terrorism. It is interesting to note that at Eilat the fringing reef comes right to the coastline. There are some similarities between that site and the Ningaloo area. The access is immediate and the problems faced in Eilat and down in the Gulf through to Egypt are similar. We could see many tourist facilities being built. One wonders what the life of the coral reef will be like, given the number of people using the area and their very close proximity to the reef.

The committee took expert evidence from various people. One of the things we discovered was mentioned in the committee's report -

10% of the coral reefs of the world have already been degraded beyond recognition; 30% are in such a critical state that they will be lost in the next ten to twenty years; another 30% will disappear in twenty to forty years, leaving about 30% which will remain for hundreds to thousands of years

Many coral reefs around the world are under immediate threat of devastation. Other reefs are showing considerable signs of degradation, and virtually the only reefs which are still in excellent health are those which are remote from human activities or under active management.

The truth of the latter part of the statement is evident at Ningaloo, because until recently it has been fairly remote from human activity. It is only fairly recently in response to human activities that it has come under active management.

The committee was very impressed with the management expertise and skill of the Department of Conservation and Land Management officers at Ningaloo and Cape Range National Park. The committee felt that these officers were doing an excellent job. There is no doubt in my mind that as the fame of Ningaloo is spread far and wide - particularly because it is one of the few places in the world where people can have close contact with whale sharks - many people will visit from different parts of the world. As that happens the pressure on Ningaloo will increase. Indeed, in the future we will see incredible pressures on

that area. I hope the work this select committee has done and the recommendations it has brought forward will be acted upon by this Government.

The committee made three recommendations, the first of which states -

Any accommodation facilities in Cape Range National Park must be consistent with conservation management strategies for the terrestrial and marine environment, so that construction and operation activities do not impact adversely upon significant environmental features or the ambience of the surrounding topography.

That is a fairly self explanatory recommendation. It is the first one because the committee believed it was probably one of the most important recommendations that could be made. The second recommendation reads -

There be no shore based resort development on the western side of Cape Range, on coastal land abutting Ningaloo Marine Park.

During the committee's activities a number of proposals were made to the Exmouth Shire Council for its consideration. One of the proposals was based on a shore development at Turquoise Bay. Members may not have visited the bay, but they may know that it appears as a beautiful location in an advertisement promoting Lotto. I am sure that Hon Max Evans would be interested in it. The advertisement features an attractive young woman, running along the white sand beside the beautiful blue water. I notice that Hon Eric Charlton and Hon George Cash pricked up their ears at the mention of the blue water and white sand. That caught their imagination.

Hon E.J. Charlton: I was just asking Hon George Cash if that is where he has been for the last couple of days.

Hon George Cash: I wish I had.

Hon GRAHAM EDWARDS: I am sure he has not been there because if he had he would still be there.

The advertisement focuses on Turquoise Bay. One of the great concerns of the committee was that we would not like to see development on the bay because it would prevent people visiting the Ningaloo area from using the bay. Another point is that the sand is very unstable. I will not go into the technicalities of it; they are included in the report. The dunes are still forming, and it would be a great folly to build a tourist development on the shoreline. Once a facility was built, in anticipation of a cyclone a great deal of work would need to be undertaken to protect the buildings from any dunal movement. Such work would increase the instability of the shoreline. Eventually there would need to be a series of groynes to attempt to stabilise the dunes and protect any facility that had been built.

The third and very important recommendation reads -

The Minister for the Environment establish a Strategy Group to develop environmentally acceptable guidelines for accommodating facilities, depicting essential infrastructure, form and headworks which, as a bottom line, protect the integrity of Cape Range and Ningaloo Marine Park.

One of the reasons that we felt that recommendation was so important was simply that both the Government and local authorities in Carnarvon and Exmouth were being hit by a number of resort development proposals, some of which were useless. We came to the conclusion that if the Government could gather local expert and community advice, and develop some plans which would be environmentally acceptable, developers could be invited to submit proposals under the guidelines and parameters arrived at by the Government. The Government could then consider those proposals. That would ease the situation for both state and local governments because they would not be subject to pressure from developers.

Dr Chris Simpson who accompanied the committee overseas made the following observations about South Africa -

The main point to come out of the South African visit was that management of Kruger National Park was based on scientific research that targeted the development of key strategic information databases. The park's natural attributes have been thoroughly documented and mapped. Soil type, rainfall, vegetation, floral and faunal species composition and diversity and habitats have been used to identify the main biological units and hence determine conservation values of the various parts of the Park. These maps were on the wall of the Park headquarters. Not only does this allow park management to proceed along ecological lines, it also provides a strong technical basis for why developments are or are not permitted and where they can or can not go. Because these decisions are made on technical rather than on a 'value judgment' basis, the decisions are very difficult to argue against and, as such, provide an important buffer against expedient or short-term decision-making. The lesson for Ningaloo is that if this ecosystem is to be managed properly, a systematic, long-term data acquisition programme is required to ensure that resource management is based on a thorough understanding of the system in question.

That does not mean that development cannot be undertaken in the Ningaloo Marine Park. The committee's view was that development in the park should be undertaken. However, we were adamant that the development should be of the right type and in the right place. Early in the piece, we concluded that a lockout strategy at Ningaloo was not appropriate. I think I am correct in saying that tourism is one of the

fastest growing industries in Western Australia. Certainly it brings a great number of people to this State, although I guess the biggest impact is made by intrastate tourists - people travelling from Albany, Busselton or Bunbury to Exmouth or Broome, and vice versa. Wherever the tourists come from it is very important that we provide adequate facilities which are properly designed and sited. If we do that, Western Australians and visitors to the State will continue to enjoy the beauty of Ningaloo in a properly controlled environment in the long term. People will see the return of the whale sharks, and children will visit the area to learn about the marine environment.

It is tremendous to see school groups visit those areas. They are taught to dive and to observe, and they learn a heck of a lot about that environment. I like to think that this report of the Select Committee on Cape Range National Park and Ningaloo Marine Park of this House will go some way towards enhancing that.

I have a concern. Last January I wrote to the Minister for the Environment stating -

Dear Minister

I write to draw your personal attention to the Cape Range National Park and Ningaloo Marine Park Select Committee Report which was tabled in December 1995.

The Committee is of the view that you will find this report of interest and that the recommendations, if adopted, will greatly enhance the preservation of this area and at the same time allow for planned and considered development.

I would be grateful for your personal consideration of the report and assure you that, as Chairman of the Committee, I will be happy to meet with you and discuss any aspects of the report.

The Minister has not responded and I hope that in the not too distant future he will. I draw the attention of the Minister to the letter, because he may not be aware that it is in his office. Following on from what I have said here this evening, I hope the Minister may look at it and perhaps come back to me fairly soon. We all feel it is important for members of this House to put time and effort into reports like this. We all believe it is a good report, where the recommendations reflect a consensus rather than numbers. The recommendations reflect the commonsense views of the members of the committee and they are not reflective of any need to adopt a party position. As I said, that is a great basis for committee reports; indeed, it is the only basis upon which we should bring committee recommendations back to this House. If it is good enough for members of the House to do this work, it should be good enough, indeed important enough, for Ministers to want to respond. It is important that select committee reports be responded to as a matter of course. The process in place in many other Parliaments is that according to the basic rules of the Parliaments, their Governments must respond within a certain period to select committee reports. That is a worthwhile procedure that we should give consideration to adopting in this place.

Once again, it was a great experience to work with Hon Murray Criddle, Hon Ross Lightfoot, Hon Phil Lockyer and Hon Tom Stephens on this committee. If a group of people as diverse as this can come together and make recommendations based on consensus, any group of people should be able to come together and do likewise. I am sure members would all agree that there were some great characters on the committee. By jove, Hon Murray Criddle and I had a bit of trouble sometimes keeping them under control.

Hon Max Evans: We can believe that.

Hon GRAHAM EDWARDS: It was an excellent committee and a good group of people to work with. Although we disagreed in informal discussions about politics, we all put our noses to the grindstone and worked well in bringing these recommendations forward. I hope that the Government, particularly the Minister for Environment, will take notice of them. I support the matter we are debating.

Debate adjourned, on motion by Hon I.D. MacLean.

House adjourned at 5.55 pm

QUESTIONS ON NOTICE

EDUCATION DEPARTMENT - TEACHING LITERACY POLICY

26. Hon TOM STEPHENS to the Minister for Employment and Training representing the Minister for Education:

- (1) Would the Minister for Education detail the response of the Western Australian Government to the 1993 Federal Parliamentary report that suggests "one in four Australian students is leaving primary school with severe reading, writing and spelling problems"?
- (2) Does the Education Department have a policy in regards to teaching literacy?
- (3) Are schools permitted to maintain the "whole language" approach to teaching literacy, to the exclusion of teaching phonics?
- (4) Is the teaching of phonics and a phonetics based approach to teaching literacy in primary schools in Western Australia compulsory?
- (5) If not, why is it not compulsory?

Hon N.F. MOORE replied:

I am advised by the Minister for Education in the following terms -

- (1) The House of Representatives Standing Committee on Employment Education and Training published "The Literacy Challenge: Strategies for early intervention for literacy and learning for Australian children" in December 1992. A submission to the committee from a researcher at Edith Cowan University reported the finding that in 25 primary schools more than 25 per cent of these students were perceived to be at risk. The research also found great variation between schools in the percentage of students at risk. The Education Department of Western Australia's 1990 and 1992 system-wide student performance data from the monitoring standards in education program found that approximately 10 per cent of year 3 students were performing below expectation in reading and writing. The federal parliamentary report recommended that -

... all States and Territories which are reviewing their curricula, adopt the First Steps program, and (that) the concepts of First Steps (be) included in the National English Curriculum. (p. vii)

First Steps, a literacy and numeracy program developed by the Western Australian Education Department, with a focus on students at risk, is now widely used in other States and Territories and overseas.

- (2) No, but it has a mandated syllabus in English language which includes focus areas on literacy development. A literacy strategy, including a policy, is under development.
- (3) Whole language, as documented in the K-7 English Language Syllabus and First Steps program, and as practised in Western Australian government schools, includes the explicit teaching of phonics.
- (4) Yes. The K-7 English Language Syllabus, which is mandated in Western Australian government schools, explicitly requires the teaching of phonics.
- (5) Not applicable.

HEALTH DEPARTMENT - BUDGET, MID-YEAR REVIEW

33. Hon BOB THOMAS to the Attorney General representing the Minister for Health:

- (1) When did the Health Department conduct its mid-year review of its budget?
- (2) Were hospital managers asked to provide a range of budget options to cope with various scenarios including one where there would be no supplementary funding?
- (3) If yes, did any of the Bunbury Regional, Warren District or Albany Regional Hospitals present options which included the closure of theatres for elective surgery over an extended period at Easter?
- (4) What were the exact details of those particular options?

Hon PETER FOSS replied:

The Minister for Health has provided the following reply -

- (1) The review commenced in December 1995 and was completed in February 1996.
- (2) No. Health Services were asked to maintain existing level of services. However, managers were asked to identify the areas where efficiencies could be found.
- (3) Not applicable.

- (4) Certain structural reforms and process improvements are part of the ongoing requirement of health services to improve health service delivery through a whole range of options. This is a normal expectation of continuing improvement and best practice strategies encouraged in all of the public health sector.

HOSPITALS - MEEKATHARRA

Funding Allocation

126. Hon TOM STEPHENS to the Attorney General representing the Minister for Health:

- (1) What funds will be allocated to the Meekatharra Hospital as a result of the decision of the State Government to inject \$81m, between March and 30 June this year, into the health system of Western Australia?
- (2) For what purpose have these funds been allocated?

Hon PETER FOSS replied:

- (1)-(2) Details of funding allocations to individual hospitals have yet to be determined.

HOSPITALS - CARNARVON REGIONAL

Funding Allocation

127. Hon TOM STEPHENS to the Attorney General representing the Minister for Health:

- (1) What funds will be allocated to the Carnarvon Regional Hospital as a result of the decision of the State Government to inject \$81m, between March and 30 June this year, into the health system of Western Australia?
- (2) For what purpose have these funds been allocated?

Hon PETER FOSS replied:

- (1)-(2) Details of funding allocations to individual hospitals have yet to be determined.

HEALTH DEPARTMENT - CUE HEALTH CENTRE

Funding Allocation

128. Hon TOM STEPHENS to the Attorney General representing the Minister for Health:

- (1) What funds will be allocated to the Cue Health Centre as a result of the decision of the State Government to inject \$81m, between March and 30 June this year, into the health system of Western Australia?
- (2) For what purpose have these funds been allocated?

Hon PETER FOSS replied:

- (1)-(2) Details of funding allocations to individual hospitals have yet to be determined.

HOSPITALS - EXMOUTH DISTRICT

Funding Allocation

129. Hon TOM STEPHENS to the Attorney General representing the Minister for Health:

- (1) What funds will be allocated to the Exmouth District Hospital as a result of the decision of the State Government to inject \$81m, between March and 30 June this year, into the health system of Western Australia?
- (2) For what purpose have these funds been allocated?

Hon PETER FOSS replied:

- (1)-(2) Details of funding allocations to individual hospitals have yet to be determined.

HOSPITALS - MT MAGNET DISTRICT

Funding Allocation

130. Hon TOM STEPHENS to the Attorney General representing the Minister for Health:

- (1) What funds will be allocated to the Mt Magnet District Hospital as a result of the decision of the State Government to inject \$81m, between March and 30 June this year, into the health system of Western Australia?
- (2) For what purpose have these funds been allocated?

Hon PETER FOSS replied:

- (1)-(2) Details of funding allocations to individual hospitals have yet to be determined.

HEALTH DEPARTMENT - NUMBALA NUNGA NURSING HOME

Funding Allocation

131. Hon TOM STEPHENS to the Attorney General representing the Minister for Health:

- (1) What funds will be allocated to the Numbala Nunga Nursing Home as a result of the

decision of the State Government to inject \$81m, between March and 30 June this year, into the health system of Western Australia?

- (2) For what purpose have these funds been allocated?

Hon PETER FOSS replied:

- (1)-(2) Details of funding allocations to individual hospitals have yet to be determined.

HOSPITALS - ONSLOW DISTRICT

Funding Allocation

132. Hon TOM STEPHENS to the Attorney General representing the Minister for Health:

- (1) What funds will be allocated to the Onslow District Hospital as a result of the decision of the State Government to inject \$81m, between March and 30 June this year, into the health system of Western Australia?

- (2) For what purpose have these funds been allocated?

Hon PETER FOSS replied:

- (1)-(2) Details of funding allocations to individual hospitals have yet to be determined.

HEALTH DEPARTMENT - SANDSTONE HEALTH CENTRE

Funding Allocation

133. Hon TOM STEPHENS to the Attorney General representing the Minister for Health:

- (1) What funds will be allocated to the Sandstone Health Centre as a result of the decision of the State Government to inject \$81m, between March and 30 June this year, into the health system of Western Australia?

- (2) For what purpose have these funds been allocated?

Hon PETER FOSS replied:

- (1)-(2) Details of funding allocations to individual hospitals have yet to be determined.

HEALTH DEPARTMENT - YALGOO NURSING POST

Funding Allocation

134. Hon TOM STEPHENS to the Attorney General representing the Minister for Health:

- (1) What funds will be allocated to the Yalgoo Nursing Post as a result of the decision of the State Government to inject \$81m, between March and 30 June this year, into the health system of Western Australia?

- (2) For what purpose have these funds been allocated?

Hon PETER FOSS replied:

- (1)-(2) Details of funding allocations to individual hospitals have yet to be determined.

QUESTIONS WITHOUT NOTICE

STATESHIPS - CLOSURE; GLOBAL LIVESTOCK EXPORTS, DAMAGES CLAIM

109. Hon JOHN HALDEN to the Minister for Transport:

On 22 June 1995 in response to question without notice 476 the Minister advised the House that "arrangements are in hand to fulfil Stateships' contractual obligations with its clients, through alternative shipping arrangements. Under this circumstance there will be no need for compensation to be paid".

- (1) How does the Minister reconcile that statement with yesterday's Supreme Court decision to award \$500 000 damages to Global Livestock Exports for breach of contract caused by the closure of Stateships?

- (2) Was the Minister aware of Global's claim when he answered the question?

Hon E.J. CHARLTON replied:

- (1)-(2) I do not know where the member gets his information from but it is incorrect.

Hon A.J.G. MacTiernan: Is it a conspiracy by *The West Australian*?

Hon E.J. CHARLTON: Did the member give the newspaper the information? Did she enable *The West Australian* to completely mislead the Western Australian public? The legal action is still proceeding and no amount has been identified in relation to that claim.

STATESHIPS - CLOSURE; GLOBAL LIVESTOCK EXPORTS, DAMAGES CLAIM

110. Hon JOHN HALDEN to the Minister for Transport:

On Tuesday 26 September 1995 the Minister advised the House that one exporter of live pigs to ports which Stateships serviced would suffer as a result of the closure of Stateships. Having made that statement in September last year, last week the Minister advised *The West Australian* that no exports were lost. The Minister asked, "Where's the comment been made by an exporter who says he has lost business as a consequence of Stateships not going into South East Asia?"

- (1) Is it correct that an exporter, Mr Boyett, wrote to the Minister on 19 or 20 June and again on 19 July last year advising the Minister that his company had lost its export market to east Malaysia as a result of Stateships' closure?
- (2) Who has the Minister misled: This House in September last year or *The West Australian* last week?
- (3) If the Minister denies that he has misled anyone, are these contradictory statements to be blamed on -
 - (a) the militant Maritime Workers Union;
 - (b) the result of a conspiracy by *The West Australian* to cast the Minister in a negative light;
 - (c) yet another instance where I have made an uninformed and outrageous attack upon the Minister's competence and his ability to remain as a Minister?
- (4) If no to (3), are we to hear yet again of another scapegoat?

Hon E.J. CHARLTON replied:

- (1)-(4) Following the decision to discontinue the operations of Stateships, personnel in my office bent over backwards to assist the pig exporter; he was offered a number of alternative freight options. He chose not to take advantage of them, for his own reasons.

Several members interjected.

The PRESIDENT: Order!

Hon E.J. CHARLTON: The exporter had no contract with Stateships. He had a verbal agreement -

Hon John Halden: It was a contract!

Hon E.J. CHARLTON: There was a verbal agreement which Stateships intended to honour. The exporter was to be allowed six voyages to enable him to transport his livestock. On the first occasion he transported 50 to 60 animals; on the second occasion, another 50 or 60, and on the third occasion he did not transport any livestock. I suppose we could have sent him a bill for non-compliance with the agreement, but we did not. The remaining three opportunities did not exist -

Hon John Halden: You closed Stateships!

Hon E.J. CHARLTON: That is right, because the member's mates in the MUA decided not to allow the ship to be stevedored. Members opposite do not like that! All the assertions made by the Leader of the Opposition are inaccurate, because he presupposes a number of things that are not true.

Hon John Halden: I read your statements. Which one is correct?

Hon E.J. CHARLTON: My statements are accurate -

Hon John Halden: They are contradictory.

Hon E.J. CHARLTON: They are only contradictory if one accepts the perception offered by Mr Halden -

Several members interjected.

The PRESIDENT: Order! If members want the questions answered they should keep quiet.

Hon E.J. CHARLTON: Mr President, the member does not want an answer. The last thing the Leader of the Opposition or his friends behind him want is the truth, because that would mess up everything. Members do not like the truth. Members opposite run a line. Mr President, this is the same member who ran to the Fremantle Port Authority three days in a row last year on another fishing expedition. He did not get what he wanted, so he did not ask the series of questions which he had already put in writing. That is the sort of individual he is. He can throw up his hands in despair!

The PRESIDENT: Order! The Minister should bring his answer to a close.

Hon E.J. CHARLTON: The member is wrong on all four counts. When the court makes a determination he will know what the figure will be.

STATESHIPS - GORDON REID REFURBISHED TO TRANSPORT PIGS, COST

111. Hon JOHN HALDEN to the Minister for Transport:

How much did the State Government pay to refurbish the *Gordon Reid* for the transportation of pigs to South East Asia?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question. The *Gordon Reid* was not refurbished to carry pigs.

Hon John Halden: You are caught out every time! You can't tell the truth!

The PRESIDENT: Order!

Point of Order

Hon E.J. CHARLTON: The Leader of the Opposition said that I was caught out. I have provided an answer which demonstrates that he was wrong.

The PRESIDENT: Order! That is not a point of order. However, the honourable member cannot tell members in this Chamber that they are not telling the truth. That is grounds for a point of order. I suggest he not do that again.

Questions without Notice Resumed

STATESHIPS - CLOSURE, DAMAGES CLAIMS

112. Hon KIM CHANCE to the Minister for Transport:

Following the Supreme Court judgment against the Government as a result of losses to an exporter caused by the closure of Stateships, will the Minister advise the House -

- (1) How many former Stateships' clients have advised that they have suffered damage as a result of the closure?
- (2) In how many other cases is litigation either under way or pending?
- (3) What is the extent of the damages sought?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1)-(3) I am advised that two claims have been made by former clients of Stateships. These are Global Livestock, whose claim is still subject to litigation, and Queenswest Timber, which has a non-specified monetary claim for loss of goodwill in relation to the importation of timber.

**WESTRAIL - SEVERANCE BORROWING OF \$55m, NON-REPAYMENT;
OUTSOURCING COSTS EXCEEDING ANTICIPATED COSTS**

113. Hon JOHN HALDEN to the Minister for Transport:

Does the Minister now have the answer to a question I asked yesterday on Westrail? If yes, will the Minister please provide the answer? For the Minister's benefit the question was -

In a letter dated 25 January 1996 the Chairman of the Cabinet Estimates Committee, Richard Court, referred to the fact that Westrail "gave the undertaking to repay 1993-94 severance borrowing of \$50m within three years. However, no repayment had been made by Westrail to date due to higher outsourcing costs than originally anticipated."

- (1) By what amount have outsourcing costs exceeded anticipated costs?
- (2) Why has this occurred?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1) \$7.8m.
- (2) The program for outsourcing of tasks to the private sector is ahead of schedule and therefore costs for this are being incurred ahead of schedule.

Hon John Halden: The Government is costing this State a fortune.

Hon E.J. Charlton: It is savings. The Government is not wasting money like the former Government did.

The PRESIDENT: Order!

QUARANTINE STATION - NORSEMAN, RELOCATION PROPOSAL

114. Hon P.H. LOCKYER to the Minister for Tourism:

Is the Minister aware of the proposal by the Minister for Primary Industry to relocate the quarantine point from Norseman to the Western Australian-South Australian boarder? Is it the intention of the Western Australian Tourism Commission to become involved with a tourist centre on the border or is the Minister considering using the township of Eucla as a preferred spot to promote tourism in Western Australia for visitors entering from the Eastern States?

Hon N.F. MOORE replied:

I am aware of the move by the Minister for Primary Industry to relocate the quarantine station from

Norseman to either Eucla or the South Australian-Western Australian border. I had a meeting today with a proprietor of a hotel-motel in Eucla. He explained that he was concerned that the quarantine station will be on the border and not in the town of Eucla. I have sought some advice from the Tourism Commission about that. I am also advised that the Esperance-Goldfields Development Corporation has suggested there be a tourist facility on the border itself, and it is my view that we should contemplate that being in the town of Eucla rather than on the border. However, I am not totally familiar with the reasons that the Minister for Primary Industry has thought the border is preferable to Eucla. When I have that information, and I have had a chance to talk to the Tourism Commission, I will make a representation on the matter.

CLEANING CONTRACTS - SOUTHERN CROSS CLEANING SERVICES

115. **Hon A.J.G. MacTIERNAN to the Minister for Finance:**

- (1) Why was Southern Cross Cleaning Services recently awarded the contract to clean the Valuer General's Office in Perth when an Australian standards quality endorsed company, Avalon Cleaning Services Pty Ltd, tendered a price around 30 per cent cheaper?
- (2) Why was Southern Cross Cleaning Services awarded the contract to clean the Midland police and court complex when an Australian standards quality endorsed company Avalon Cleaning Services Pty Ltd tendered a price of around 20 per cent cheaper?
- (3) Is the Minister aware that Southern Cross Cleaning Services is not an Australian standard quality endorsed company, although such endorsements are specified as a requirement in the Building Management Authority cleaning contracts?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Southern Cross Cleaning Services was awarded the contract to clean the Perth Valuer General's Office as it had the lowest conforming tender.
- (2) Southern Cross Cleaning Services was awarded the contract to clean the Midland police and court complex as it had the lowest conforming tender.
- (3) Neither of these contracts required tenderers to have quality assurance certified to Australian standards.

LAND CARE - FARMERS COMMITMENT

116. **Hon MURRAY MONTGOMERY to the Minister representing the Minister for Primary Industry:**

Can the Minister provide some details of the extent of involvement of Western Australian farmers in land care and related activities in this State?

Hon John Halden: Come on, what a dorothea. Make them relevant or do not bother.

Hon Murray Montgomery: Are you saying that land care is not relevant?

Hon John Halden: The question is not relevant here. We can read it in the newspaper.

The PRESIDENT: Order!

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question. Examples of farmers' commitment to land care include 145 land conservation district committees and about 290 catchment groups established in the agriculture areas of the State. It was estimated that 3.5 million hectares had been planted by these groups to the end of last year. The areas of remnant bush notified to be cleared has significantly reduced from a peak of about 78 030 ha in 1989 to about 10 587 ha in 1994-95. Less than half the notified area is allowed to be cleared. Landholders have already agreed to protect 75 098 ha to prevent further land degradation by placing caveats or covenants on their land titles. Commercial tree planting - that is, farm forestry - on farms in the high rainfall zone is now in excess of 23 000 ha of pines and 38 000 ha of hardwoods.

BUILDING MANAGEMENT AUTHORITY - CLEANING CONTRACTS, IMPROPER CONDUCT ALLEGATIONS REPORT

117. **Hon A.J.G. MacTIERNAN to the Minister representing the Minister for Services:**

- (1) Has the State Supply Commission prepared a report on the conduct of the Building Management Authority in awarding cleaning contracts?
- (2) If it has, will the Minister table that report?

Hon MAX EVANS replied:

- (1)-(2) I thank the member for some notice of this question. The State Supply Commission received information alleging improper conduct by officers of the Building Management Authority relating to cleaning contracts. I indicated to the House on 13 December 1995 that documents supporting the allegations should be referred to the appropriate authorities. Accordingly, allegations of a criminal nature have been referred to the police and the State Supply Commission is examining

matters of a process nature. These examinations have not been completed. I am advised that the Minister will endeavour to table the report subject to police advice and any issues which may require further action.

STATESHIPS - CLOSURE, SAVINGS

118. Hon P.R. LIGHTFOOT to the Minister for Transport:

If all current and pending claims, if any, against Stateships were met would the total cost exceed the total savings to Western Australia as a result of the sale of Stateships?

The PRESIDENT: It is a hypothetical question.

Hon E.J. CHARLTON replied:

From 1991-92 until its closure Stateships' cost to the Government was something like \$74m.

Hon Mark Nevill: From your mismanagement.

Hon E.J. CHARLTON: In 1991-92, Mr Nevill? The member was sitting on the government benches with his hands folded allowing it to go on.

No claims on the Government have been determined, so no additional claims have been successful at this point. The average saving for the taxpayers of Western Australia is between \$6m and \$10m a year.

EDUCATION DEPARTMENT - CLEANING SERVICES IN SCHOOLS *Contracts EDTCO56-95, EDTCO66-95, Prices*

119. Hon A.J.G. MacTIERNAN to the Minister representing the Minister for Education:

In respect of the school cleaning tenders EDTCO56/95 and EDTCO66/95, why is it that the Education Department is unable to specify the price which was submitted in the successful tenders, and are the prices being negotiated after the close of tenders?

Hon N.F. MOORE replied:

I thank the member for some notice of this question. In October 1995 the Government announced that contract cleaning would be introduced to 160 schools in the metropolitan area - a total of 52 cleaning contracts. The prices for EDTCO56/95 and EDTCO66/95 have not been specified because negotiations are taking place with the preferred suppliers on contract conditions and price. Such negotiations are necessary because the Education Department restricted the number of the 52 contracts each supplier could be awarded. The restriction in the number of contracts each supplier can be awarded enables a spread of business across the cleaning industry and ensures ongoing competition. Price negotiations for remaining contracts will ensure that the Education Department receives the best value for money for these contracts.

Hon John Halden: The Minister said cleaning would be substandard.

Hon N.F. MOORE: On completion of these negotiations the price and name of the successful contractor will be announced and all suppliers who have submitted a tender will be advised in writing.

COCKBURN CEMENT LTD - DREDGING PROGRAM, OWEN ANCHORAGE

120. Hon J.A. SCOTT to the Leader of the House representing the Premier:

- (1) Did the Premier or the then Environment Minister meet with the chairman or other members of the Environmental Protection Authority in relation to the Cockburn Cement dredging program proposals at Owen Anchorage in November or December 1993?
- (2) What, if any, advice or influence did the Premier or Minister bring to bear on the EPA in relation to these programs and proposals?
- (3) Did the Premier or Minister express a view that the EPA should take into account any of the factors which the Supreme Court has found to be irrelevant to the EPA's task?
- (4) Why did the Premier or the Minister seek a briefing prior to the EPA's assessment, which was only released in Bulletin 739 in May 1994, and what was the Premier's interest in the matter?
- (5) Did the Premier decide on action with regard to the matter after the briefing and, if so, what was it?
- (6) Will the Premier table any notes or minutes that were taken of the proceedings of the briefing?
- (7) If none were taken, why were they not taken?

Hon GEORGE CASH replied:

Mr Premier, I thank the member for some notice of the question.

Hon Tom Stephens: He is the President.

Hon GEORGE CASH: Two days out of this place and one forgets where one is.

The PRESIDENT: I have not chosen to have that job yet!

Hon GEORGE CASH: My answer will remain unchanged. I regret that I do not have the information to provide an answer at this time. However, if the member cares to place the question on notice, I will endeavour to get that information.

ELECTORAL ACT - AMENDMENTS

121. Hon TOM STEPHENS to the Minister for Parliamentary and Electoral Affairs:

Can the Minister assure the House that he will not be introducing any electoral legislation into this Parliament during 1996? If not, what legislation in the electoral area is the Government still considering introducing this year?

Hon N.F. MOORE replied:

The Government is considering a number of amendments to the Electoral Act which relate to a whole range of issues. The member will be aware of those when the Bill is introduced into the House.

RABBIT CALICIVIRUS DISEASE - ANTIBODIES IN KIWIS REPORTS

122. Hon MURRAY MONTGOMERY to the Minister representing the Minister for Primary Industry:

In relation to the proposed release of rabbit calicivirus disease, will the Minister comment on reports that kiwis in New Zealand has been infected by the virus?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

Several members interjected.

Hon N.F. Moore: Can you have a question on mad cow disease?

The PRESIDENT: Order!

Hon E.J. CHARLTON: It is obviously not fatal because they are all still here, Mr President.

I thank the member for some notice of this question. The initial response from the scientists was that antibodies had been detected in kiwis which had been injected with the disease. However, they had made it clear that it was more likely that the presence of antibodies was a reaction to a very large dose of a foreign substance and that this did not constitute an infection by the disease itself. Subsequent tests, the results of which have been released just today, have conclusively shown that in fact no infection has occurred and that the kiwi, like all other birds and animals apart from the rabbit, is not susceptible to rabbit calicivirus disease.

FIRE BRIGADES - ALBANY FIRE STATION, BUDGET INCREASE

123. Hon BOB THOMAS to the Leader of the House representing the Minister for Emergency Services:

- (1) Was the Minister quoted correctly when he stated in the *Albany Advertiser* on 19 March 1996 that the Albany Fire Station's budget had been increased by \$23 000 in the past year?
- (2) If yes, which particular section of the budget has been increased by \$23 000?
- (3) If no to (1), by how much did the 1995-96 budget vary from the 1994-95 budget?
- (4) What was the total amount budgeted for -

- (a) wages;
- (b) overtime; and
- (c) relief

for the Albany Fire Station for the years 1994-95 and 1995-96?

- (5) What was the total amount spent on -

- (a) wages;
- (b) overtime; and
- (c) relief

at the Albany Fire Station in 1994-95?

Hon GEORGE CASH replied:

I thank the member for some notice of this question. The Minister for Emergency Services has provided me with certain information.

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

- (4) The total amount budgeted for -

	1994-95	1995-96
Wages	\$760 384	\$766 211
Overtime	\$26 000	\$32 127
Relieving	\$17 020	\$3 672

All the budgets are continually monitored and adjusted to meet operational requirements. These budgets can be increased or decreased depending on need.

- (5) The total amount spent -

	1994-95
Wages	\$716 668
Overtime	49 004
Relieving	6 481

Variations in actual expenditure compared with the budget resulted from the introduction of a relieving policy which utilises local resources rather than transferring resources from the metropolitan area for these short term reliefs.

**CHARITABLE COLLECTIONS ADVISORY COMMITTEE - VERBAL ADVICE
OBTAINED BY EXECUTIVE OFFICER FROM SOLICITOR**

- 124. Hon A.J.G. MacTIERNAN to the Minister representing the Minister for Fair Trading:**

Further to the answer the Minister gave to question without notice 34 -

- (1) Who was the solicitor from whom verbal advice was obtained by the Executive Officer of the Charitable Collections Advisory Committee?
- (2) On what date was the advice given?
- (3) Who was the executive officer receiving such advice?
- (4) Was a file note of that advice made by the executive officer?
- (5) Did the executive officer communicate this advice to the Charitable Collections Advisory Committee?
- (6) If so, is that advice recorded in the minutes of the committee and will the Minister table those minutes?

Hon MAX EVANS replied:

I thank the member for some notice of this question. The Minister for Fair Trading has provided the following reply -

- (1)-(6) The current Executive Officer of the Charitable Collections Advisory Committee has no written record of the verbal advice received in mid-1993. A written opinion from the Senior Assistant Crown Solicitor dated 23 December 1993, however, confirmed that advice. This is reflected in an extract from the January 1994 minutes of the Charitable Collections Advisory Committee as follows -

The advice, that raffles did not fall within the meaning of "collecting money" for charitable purposes as enumerated in section 6 of the Act, . . .

**MANDURAH CULTURAL CENTRE - CONTRACT HANDED OVER AT
VENETIAN STEPS, FUNDS**

- 125. Hon J.A. COWDELL to the Leader of the House representing the Premier:**

- (1) What funds were appropriated from the Mandurah Cultural Centre budget to facilitate the recent publicity stunt involving the arrival of Arthur Marshall MLA and Roger Nicholls MLA by sea on a state barge to hand over the contract to the successful tenderers for the Mandurah Performing Arts Centre at the Venetian Steps?
- (2) Can the Government assure the House that public funds will not be misappropriated in the future for similar stunts as different stages of the cultural centre are either initiated or completed?

Several members interjected.

The PRESIDENT: Order! I will not stop the question but members are getting away from the format of questions. That question was riddled with assumptions and that is out of order. However, the Leader of the House may answer the question.

Hon GEORGE CASH replied:

One of the difficulties I have at times is when notice is given of a question and an answer is prepared having regard to that question, and then the question asked in this House is quite different. I will provide the House with certain information in accordance with the original question as the member asked it.

Hon J.A. Cowdell: It is the same.

Hon GEORGE CASH: It is not the same. The question I have here did not refer to the state barge or other matters that the member mentioned.

The PRESIDENT: Hang on! We will not have some slap happy rules. The rule is that if a question is asked of a Minister in the Minister's capacity as representing a Minister in another place, notice must be given of it. Notice has not been given of a question asked verbally if it is different from the one the Minister has. This confirms what I said prior to that question being asked. Members for some reason of late have ignored the rules associated with the asking of questions. I recommend that honourable members reread the rules associated with asking questions. If they are going to give notice, they cannot ask a different question, albeit that they change the words. If the Leader of the House wants to give the information, he may do so. I warn members this time only because it is the trend I notice, when people ask partly hypothetical questions, questions containing assumptions, and questions that are not matters of fact. Members must get back onto the rails.

Hon GEORGE CASH: In view of the question asked I will seek further advice and provide the member with an answer on Tuesday. That is the best I can do under the circumstances. If he gives me a copy of the new question it will assist me.

POLICE - BRENNAN CAR-DRUGS CASE

126. Hon MARK NEVILL to the Leader of the House representing the Minister for Police:

In respect of the Brennan car/drugs case -

- (1) Did police have a search warrant to search Mr Richie Brennan's -
 - (a) shop at Bullsbrook;
 - (b) home at 6 Bowman Street, Bullsbrook; and
 - (c) farm at 14-15 Great Northern Highway, Bullsbrook?
- (2) If yes, was a copy of the warrants left with Mr or Mrs Brennan?
- (3) If not, why not?
- (4) Was the search organised by the drug squad or the bureau of criminal intelligence?
- (5) Is Detective Senior Sergeant Ian Brandis employed at the BCI?
- (6) If yes, what is his position?
- (7) Was Detective Senior Sergeant Ian Brandis aware of the raid on Mr Brennan's properties?
- (8) How many documents relating to Mr Brennan's complaint against the police investigation of his case were seized from Mr Brennan's property?

Hon GEORGE CASH replied:

I thank the member for some notice of the question. The Deputy Commissioner of Police has provided me with certain information.

- (1) (a)-(b) No, it was entry on invitation.
 - (c) Yes.
 - (2) It was served on Mr Brennan personally at 14-15 Great Northern Highway, Bullsbrook at the completion of the execution.
 - (3) Not applicable.
 - (4) BCI - tactical intelligence unit.
 - (5) Yes.
 - (6) Manager of a section within BCI.
 - (7) Yes.
 - (8) Total 15 separate documents totalling 122 A4 pages.
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