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LEGISLATIVE ASSEMBLY

Wednesday, 15 October 1997

Legislative Assembly

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THE SPEAKER (Mr Strickland) took the Chair at 11.00 am, and read prayers.

LEADER OF THE OPPOSITION - JAPAN TRIP

Report

DR GALLOP (Victoria Park - Leader of the Opposition) [11.04 am]: I present for tabling my observations of contemporary Japan and the Australia-Japan relationship, based on a study trip to Japan from 28 September to 8 October 1997.

The **SPEAKER**: Order! I advise members that the paper can lay on the Table for the balance of this day's sitting. I believe the Leader of the Opposition will place a copy of the document in the Parliamentary Library for general reference.

[The paper was tabled for the information of members.]

STATEMENT - MINISTER FOR PLANNING

East Perth Redevelopment Act Review

MR KIERATH (Riverton - Minister for Planning) [11.05 am]: I rise to give a brief ministerial statement on the review of the East Perth Redevelopment Act. The Act provides for the redevelopment of certain land in East Perth and the establishment of an authority with planning development control and other functions over that land. The Act was proclaimed on 1 July 1992 and came into operation on that date.

I am required to review the operation and effectiveness of the Act as soon as possible after five years from its commencement. In that review I am required to take into consideration the effectiveness of the operations of the East Perth Redevelopment Authority, the need for the continuation of the functions of the authority, and such other matters as appear to be relevant to the operation and effectiveness of the Act. A report based on the review is to be placed before both Houses of Parliament as soon as practicable after its completion. The review required by the Act has been completed and I now table that report.

I have concluded that the provisions of the East Perth Redevelopment Act have operated satisfactorily and effectively in providing for the redevelopment of land at East Perth; that the East Perth Redevelopment Authority has effectively carried out the role and responsibilities conveyed upon it by the Act and has undertaken, guided and controlled the redevelopment of the redevelopment area in such a way as to produce an urban environment of the highest quality; that the authority and its statutory functions should be continued until the built form of the project is, in the opinion of the Minister, sufficiently advanced as to make secure the style, character and ambience adopted by the authority for East Perth and the development risk removed; and that legislative change be initiated to give effect to the matters outlined in part 5.1 of this report. I commend this report to the House.

[See paper No 768.]

BILLS (6) - INTRODUCTION AND FIRST READING

1. Mutual Recognition (Western Australia) Amendment Bill.
2. Statutes (Repeals and Minor Amendments) Bill (No 2).
Bills introduced, on motions by Mr Court (Premier), and read a first time.
3. Industry and Technology Development Bill.
Bill introduced, on motion by Mr Cowan (Minister for Commerce and Trade), and read a first time.
4. Workers' Compensation and Rehabilitation Amendment Bill.
Bill introduced, on motion by Mr Kierath (Minister for Labour Relations), and read a first time.
5. Interpretation Amendment Bill.
Bill introduced, on motion by Mr Prince (Minister for Health), and read a first time.

6. Surveillance Devices Bill.

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

COUNTRY HOUSING BILL*Second Reading*

Resumed from 18 September.

MR MARLBOROUGH (Peel) [11.13 am]: I want to draw to the attention of the House and you, Mr Speaker, a number of matters with respect to this Bill. On the one hand, I commend the Minister for introducing this Bill, which will bring together the Industrial and Commercial Employees Housing Authority and the Rural Housing Authority, because I agree with the statement in his second reading speech that it will assist the Government of the day to better deal with the needs of the rural community. We are all aware that the rural community, like the metropolitan area, has diverse needs and wants, but I see within the Bill a lack of checks and balances.

I will make some comments on the history of the amalgamation of the Industrial and Commercial Employees Housing Authority and the Rural Housing Authority. Historically the Rural Housing Authority was established to assist farmers and their families and employees to place houses on farms. It has been specifically restricted to on-farm accommodation, and I understand that over the past 20 years approximately 1 000 farming families have been assisted through this scheme. That is commendable, and the scheme has been used by Governments from both sides of the House. They have recognised that the rural industry is ruled by international economies, demand for its wool and wheat crops, and the growing Asian market and the price it will pay for meat and other rural products. At a time when world demand is high, the fat is on the land and farmers do well. Probably no sector of the economy is more affected when world demand for commodities is low.

This has an immediate impact on the ability of farming families to run a business efficiently and to cope on a day to day basis. We have all seen many of the tragic circumstances that have befallen farming families and rural communities in Western Australia. Rural Western Australia represents about one-third of the nation's land mass, so it is an extremely important part of the nation and, by definition, of Western Australia. It has always been recognised that the rural sector, which historically provides a great deal of our income and many of our fine upstanding citizens, must be supported in its time of need.

Mr House: It is a wonderful speech.

Mr MARLBOROUGH: I thank the Minister - it is from the heart. When commodities are not in great demand and when drought and other natural disasters affect the viability of farming operations, in many instances that impacts on not only on farmers directly but also nearby communities. A downturn in the farming industry, which affects the farmer's ability to spend dollars, has an immediate impact on many small businesses in country towns and, therefore, on many government services in country towns. Over a period the farming sector has changed and mechanisation has taken over many of the roles traditionally carried out by farmers. Therefore the opportunities for work in rural communities are diminishing and families are moving on. We know many young people move from the rural sector for all sorts of reasons but in many instances it is initially to go to school in the Perth metropolitan area. The education they can receive at a tertiary level is generally not available in rural communities.

That often leads to the breakdown of the family unit. Many of those young people become highly qualified and in many instances choose professions that are not necessarily applicable to the rural sector, or they decide that their future does not lie in going back to the family farm. That puts a pressure on the family that is not always understood by many city people. The expectation that the sons and daughters will take over from their mothers and fathers the running of a large property is not often realised these days.

It is with that in mind that some 30 years ago in the 1970s the then Government determined that it needed to introduce legislation to assist farmers because of their importance to the rural sector. While one could argue that in many instances the number of farmers has diminished, I do not think anyone could argue about the important role that is played by the farming community. It is time in 1997 for that scheme of the 1970s to be reviewed. The rural community of the 1970s is no longer the rural community that we have today, and today's rural community will not be the rural community that we will have in the next 20 years.

I commend the Minister for taking the initiative of introducing legislation that has the flexibility to meet the demands that have resulted from the downturn in the rural sector and to meet the need to have in place a scheme by which the rural community can plan for its future. However, we need to be convinced that the Government has in place appropriate checks and balances when providing this financial assistance. The Minister has indicated privately that we are not talking about a huge amount of money. I understand that the assets that will be available to this new department will be about \$12m and that the amount that will be loaned over the next four or five years will be about

\$20m. The Minister may be able to comment on the amount of finance and the applications to which that finance will be applied.

Although the Opposition supports the general thrust of the legislation, the Minister should be aware, and I am sure he is, that not many State and Federal Governments today are handing out money on the basis of what appears in this Bill to be inappropriate checks and balances. I have indicated that I understand the need for flexibility, but I also understand the need for Governments to be seen to be fair and equitable to all of their constituents. I do not see in this Bill many of the measures that are used in other areas to determine whether a person is eligible for assistance; and, if a person is eligible, to determine the interest rate and the time within which the loan must be repaid.

The flexibility that is provided in this Bill is not available to any of my constituents who seek financial assistance. In order for a person to be eligible for Homeswest accommodation, he must have, if not according to the legislation certainly according to the Homeswest policy guidelines, an annual income that is less than a certain amount; and once he has been accommodated, the greater his income the greater will be the amount of rent that he has to pay, until the rent reaches a ceiling of about 27 per cent of average weekly wages.

A person is not eligible for a pension, unemployment benefits, family benefits or Austudy until an appropriate mechanism has been used to determine the value of his assets. Who would have thought 12 months ago that the elderly in this nation would have to pay a minimum of \$28 000 to get into permanent nursing home care and would have to face a means test in which their home was classified as one of their assets? Many elderly people will be forced to divest themselves of their assets at a time and in a way that they would not have done naturally in order to obtain nursing home care.

Mr Bloffwitch: To be fair, not all of them will have to do that.

Mr MARLBOROUGH: They would not have done that naturally. It will vary from family to family. I do not want to get sidetracked on that debate. However, at a time when Governments are putting in place stringent guidelines about how money should be paid to individuals, I cannot see those guidelines in this Bill, and I want to be convinced by the Minister today that appropriate checks and balances are in place, because while there is no doubt that the Auditor General will play a role in reviewing this legislation and will be reporting from time to time to the Government, we need those checks and balances. It may be that the most appropriate way of providing those checks and balances is not by regulation but by a policy document, such as is the case with Homeswest. This Bill does not have attached to it either a policy document or regulations. When the Government introduces Bills that will allow money to be handed out to the community, it can expect a vigorous debate about how that money should be accounted for and how people should be able to access that money.

That is my major concern with the Bill. I hope the Government will indicate that our concerns will be met and that the process will enable me to respond to people's queries about their eligibility by being provided with the appropriate guidelines. For example, I might be approached by a retired farmer who within 12 months wants to access some funds, but has \$300 000 in the bank. As a member of Parliament I must be able to indicate his eligibility or otherwise. At present when a constituent earning \$1 000 a week seeks advice about Homeswest accommodation I am able to advise him immediately that his circumstances do not meet the guidelines. At this point it is not clear whether that sort of information on country housing is available to me. It is extremely important that members of Parliament have that information.

In the past the Rural Housing Authority was simply locked into supplying houses for farmers on their farm. The Bill creates a change not only as a result of the amalgamation of the Rural Housing Authority and the Industrial and Commercial Employees Housing Authority but also in operation because for the first time it will allow farmers to seek assistance to build outside their farms. It will allow retired farmers to build homes in the local community.

What sort of local community are we talking about? The language used in the Bill, on the one hand, is its strength in providing the Minister with flexibility.

Mr Speaker, even I am finding concentration difficult with the level of audible conversation in the Chamber.

The SPEAKER: Order, members!

Mr MARLBOROUGH: On the other hand, the language is a weakness because without the appropriate guidelines it leads to questions such as: Would a retired farmer who is eligible for assistance be able to build a house in Mandurah, Bunbury or Albany? My initial reaction after reading the Bill is that he would not, nor should he be able to because the Bill refers to a criterion for a loan of being unable to access the normal avenues for borrowing money such as banks or home building societies. Presumably in Bunbury, Mandurah or Albany people would be able to access banks and home building societies. Those are the details to which we should have access as members of Parliament. People must be able to see that the money is being spent in areas of real rural community need. I am

sure that the Lake Graces of this world comprising half a dozen dwellings would come under the loan criteria, whereas the larger regional rural centres would not.

The provisions of this Bill can be applied to the community outside the farming sector. Before we started this debate I told the Minister it was a cute piece of legislation. It is an amalgamation of two pieces of legislation and some changes have occurred. If I were a country member I would be delighted with it. I would be advising all my farming community, my local government authorities and my small businesses about it.

Dr Turnbull: I can assure you that we are delighted with what the Government has put forward and the Minister has endorsed. All country people will gain access to funds just like your constituents who have had access to Homeswest funds for so long. Country people should not be excluded from the system just because Homeswest funds and programs are based on land supply in the metropolitan area.

The SPEAKER: Order! Is the member for Peel prepared to take the interjection?

Mr MARLBOROUGH: Absolutely, Mr Speaker. I am speechless! It is good to see that the member for Collie agrees with me. The point I was making was that it is a great piece of legislation. It could be like winning Lotto.

Dr Turnbull: My point is that your metropolitan constituents have had that access for years.

Mr MARLBOROUGH: I will not remind the member for Collie that she has quite a number of Homeswest units in Collie that have received subsidy. Historically, she has shown concern in this Parliament about, and has referred to, the quality of people who live in Homeswest accommodation.

Dr Turnbull: I can assure you I take a lot of interjections as jocular and I accept them, but that one is not true.

Mr MARLBOROUGH: I will go back to *Hansard* and find it for her.

Dr Turnbull: No; that is a figment of your imagination.

The SPEAKER: Order, member for Collie.

Mr MARLBOROUGH: Homeswest homes are in Collie.

The point I was making is that any government scheme that hands out financial assistance to people must be seen to be fair and equitable. As I said clearly from the word go, the Opposition supports the general thrust of the legislation and commends the Minister for introducing it. In 1997 the circumstances in the rural sector have changed and therefore a new look at people's needs is required. If they were not being met by the old scheme or were restricted because the Rural Housing Authority was able to put houses on farms only, when people want to be able to live close by their farms in a community, the Opposition has no difficulty with that. Opposition members understand that rural needs have changed. If they can be accommodated they should be.

However, the Opposition perceives that the area of difficulty will be - and members want to know the guidelines by which they will be managed - the section of the community that has traditionally been catered for by the Industrial and Commercial Employees Housing Authority. I understand that, historically, the Government has not been involved in issuing loans under this Act; as with the Homeswest scheme, it has owned the bricks and mortar. Historically those needs have varied from community to community and town to town. My colleague, the member for Burrup, will address the detail of the Bill, but I wish to concentrate on the Pilbara. I understand that in Karratha more than 70 dwellings were provided under the old scheme, and that about two-thirds of that number are presently being sold off. The benefits of the scheme are seen in the Pilbara but they may differ from benefits in other rural sectors. The advantages were, firstly, that the Government owned the asset and, secondly, the asset was available to employees of various companies. The bottom line was that the companies which wanted to re-invest money into the company to make it work did not need to seek a loan to buy the asset. The employer using the abode did not need to worry about whether the employee would be employed for six months, 12 months or two years. It was a rental situation similar to that of Homeswest.

Since the 1970s there has been a boom and bust mentality in the Pilbara, and property rentals have gone through the roof. Under the old system there was the ability for housing to be provided at a more appropriate rent. I understand that at one stage rent in Karratha was \$500 a week, driven by the marketplace when the Burrup was in full flight; and at the same time the Rural Housing Authority charged about \$140 a week. There was no outlay because, for example, a small electrical contracting company which had won a contract for two years had to increase its staff in order to bring in certain expertise and had a housing problem, had the option of using the scheme. However, the Government has decided to sell the assets, and ownership will be replaced by a borrowing process. The downfall of the borrowing process can be highlighted by using the same example of a small company in the Pilbara needing three or four houses. The company may use the new country housing scheme. It may meet the eligibility criteria, and borrow money to

acquire accommodation, at a time when the cost of a three or four bedroom house in Karratha may be around \$300 000. In four or five years when the construction phase of the petrochemical plant is completed, or the BHP steel mill is completed, and 3 000 or 4 000 construction workers are no longer needed in the town, the cost of properties will diminish, the ability to sell the property on the open market will diminish, and individuals will be left unemployed unless they can find other work in the town. Historically that has not been the case, because it is a boom and bust situation and when the construction phase comes to an end the companies and the employees move on.

Under this scheme, instead of an employee being able to walk out of a rental property or a company being able to acquire the bricks and mortar without an outlay, people may be faced with a shortfall and will not be able to meet their debts because they do not have a job or because the workload no longer exists. More importantly, it could be a company that is in that position. The Bill provides the ability for the Government to step in and take the appropriate action to recover its debt. I see a number of problems, and I understand that many of the problems have been highlighted in the Rural Housing Authority in the past. The authority allowed farmers to build houses on their farms but, as I said earlier, when times are plentiful, farmers can meet their bills. When there is no demand on the world marketplace for wheat, sheep and beef, when there is a downturn in the market, and when there has been a drought for three or four years, farmers cannot meet their bills and they run into debt. The authority has had to enter long term arrangements for the farmers to pay off their debt. Even with the number of farmers who could be affected in that way, I am having difficulty picturing that situation applying to Karratha where a decision of management overnight can get rid of 800 workers. If Hamersley Iron were to get rid of 800 workers it would affect all the other operations in the town. I am not sure that those aspects have been thought through.

I do not think the argument is to ask how that is different in the metropolitan area. If it were not different in the metropolitan area we would not need this legislation. We need this legislation because we recognise there is a difference between those places and it is driven by different factors. If one massive industry drives the town or community, and the industry experiences a shortfall or closes down its operation, even partly, it will have a dramatic effect on the entire community. One could argue that that is not necessarily the case in the metropolitan area, although I recall that around 1981 BHP decided to close its steel rolling mill in Kwinana and put off about 1 800 workers in one hit. When I was elected in 1986 one could not give a house away in Kwinana. That was the effect of 1 800 people being put out of work in one hit. The Town of Kwinana was devastated, and houses could not be sold. It was not a massive Homeswest area. It was simply that those 1 800 workers never again picked up full time work. Many of them had worked for 20 years with BHP. They had begun work at 18 years of age and were sacked at 40 years of age. These are the men who travel to the Pilbara to undertake construction work for two years at Port Hedland, and then return home, but they have not picked up full time work in their trade since then.

I am not sure whether this Bill, in going from the holding of bricks and mortar to a loan arrangement, will cover all areas. It will give new opportunities to other areas, such as local government. A smart senior executive of a local shire council could apply his mind to the sorts of things he would like in his town if the resources were available and the workers could be housed. If the shire council could pick up an engineer or a planner, they could be shared among a number of councils. If they could pick up various professionals it would be dumb not to consider this legislation and find a way to obtain some government assistance to put in place the appropriate housing infrastructure which would encourage those people to go to work. I can see this system working very well in that situation but I cannot see it working that well in the areas I have mentioned in the Pilbara. I understand that the vast bulk of the stock held under the old scheme was in the Kimberley and the Pilbara, not in the mid-west or the south west. The housing was provided in those areas because of the boom-bust situation, and because small companies were battling to house employees. They were not battling to win work. They were in the swim for the major projects; when they won the work they could get the workers on site but they could not house them. They could not put them in a caravan park at Karratha, so the need existed.

The other difficulty highlighted by the member for Burrup is the Tom Price scenario. It is a company town where all the land is owned by the company. In Tom Price a couple have been running a small company out of a hotel room for two years. They cannot get accommodation in Tom Price. I cannot see how this scheme would assist them, because they cannot acquire any land. All the land is owned by Hamersley Iron Pty Ltd. I thought that under the old scheme the Government would have had the flexibility to ask Hamersley what housing stock it had and to purchase it for whatever purpose.

Mr Riebeling: Or lease it.

Mr MARLBOROUGH: Yes, or enter into leasing arrangements. Will the ability exist to lease in those circumstances? If we are genuine about the need for rural flexibility to give rural communities the chance to live, to grow and to continue to be viable communities, which is what we all want to see, and if we agree, as we do on this side of the House, that this legislation goes a long way towards giving Governments that sort of flexibility, we must ensure it is able to be applied to all the rural sector and that it is not just something that is in the minds of the Western

Australian Farmers Federation and a couple of shire clerks from the south west. It must be able to be applied to all rural needs. Members can bet London to a brick that if it is not able to be applied in the way that I am sure is the Government's intention, the Government will be inundated with complaints. The local member will be inundated with people asking why a business can acquire a loan in Karratha when they are operating at the other end of Hamersley's operations and yet are not able to be involved in the process of Hamersley Iron at Tom Price. The local member must be able to explain the reasons for that. This Bill does not cover those areas to the Opposition's satisfaction.

This Bill is written in such broad language that I could drive the *Queen Mary* through it. I will give an example to illustrate what I mean. I am supposed to be convinced by the three lines in clause 10 on the objectives of the authority that only certain people will be eligible to use this scheme. That clause states -

The Authority is to ensure that the resources of the Authority are managed to assist those persons for whom it considers housing finance options are otherwise limited.

I am searching. I am trying hard to be confident about that, but the clause is broad. I understand what it means. It may be that we must look closely at the wording that may assist us to be more confident that such broad application will not mean simply that anybody who has a good idea will be able to apply.

Mr Riebeling: You don't have to be too flexible to get through a loop of that size. It is a big loop.

Mr MARLBOROUGH: One certainly does not need to be a contortionist. One probably needs as much manoeuvrability as I have.

Mr Riebeling: We are just about built for it, I reckon.

Mr MARLBOROUGH: Yes. It is in those areas the Opposition has its greatest concern. For all the reasons I have enunciated, the Opposition supports the Bill and commends the Minister for the general thrust of the Bill. We believe it is necessary to have flexibility. However, in putting in place the sort of flexibility that is required to assist the rural community, the Government should not set aside appropriate guidelines. One could argue that when the flexibility that is referred to by the Minister is required, the most stringent guidelines must be put in place, because we do not want this legislation coming back and biting us. The Industrial and Commercial Employees Housing Authority scheme cannot be compared with the Rural Housing Authority scheme because historically it has been an area of ownership of bricks and mortar by the Government - not an area of loans. The Rural Housing Authority scheme was established to lend money to farmers who could not otherwise access money to build houses because their houses on the farm were not seen to be part of the farm that made money and, therefore, banks were not interested in lending them money. Historically this Parliament has not been inundated with problems from that scheme. The chances are that, if the scheme is properly managed, the problems to which I allude will not be experienced.

I say advisedly to the Minister - he would know this because it has been his intent - that this scheme will be a lot broader. This legislation will move the issues involved with loans off the farm and into local communities. Through loan provisions it will bring bricks and mortar into smaller communities. The effects of the scheme will be more visible. People will ask more questions about whether they are eligible to plug in. This scheme will be a little like the electric railway: The Government will underestimate the demand for it. It was thought there would be X demand for the electric railway when it was opened, and in the time it has operated to Joondalup the demand has quadrupled.

I understand the Government has said that not a lot of money will be involved in this scheme. I indicated the assets the Government has of \$12m that will allow it to loan \$20m over the next four years or so. However, the Bill will allow the Government to go elsewhere for money if a demand exists. That in itself will give the Government further flexibility.

Divisions 2 and 3 of the Bill contain clauses on applications for assistance by retired farmers, financial assistance to retired farmers, applications for assistance by rural employers and applications for assistance by local governments. The clause my eyes keep going to relates to applications for assistance by rural employers. Clause 28 states that a rural employer who wishes to purchase land upon which a dwelling is erected, purchase land and erect a dwelling, or place or erect a dwelling on land owned by the rural employer outside the metropolitan region may apply to the authority for financial assistance for that purpose. It states further -

The Authority may approve an application under this section on such terms and conditions as it thinks fit or may refuse the application.

That provision is the sort of broad and flexible approach the Minister seeks in the circumstances that may apply to different community and industry needs and to varying needs throughout. Without regulation and guidelines, such clauses give me no confidence about how they will be applied. The clause will be in place for nearly all areas of assistance. We will have the opportunity during Committee to detail the clause's application, and perhaps the Committee processes will be advanced if I raise matters on my mind at this stage.

The only definition provided to guide the provision of money to assist rural employees is that it is to be provided outside the metropolitan region; therefore, the legislation could relate to places like Mandurah, Busselton and Bunbury. I do not see circumstances in which the Government will provide such assistance to large regional centres. What differentiates regional centres of Busselton from the likes of Port Hedland, Broome or Derby where the Minister may want to apply the provisions? The Opposition seeks the Minister's guidance on how the legislation will apply in that respect.

I conclude as I started by raising accountability concerns. I hope the Minister will allay the Opposition's concerns. We commend the Minister and the Government for the general thrust of the legislation which, if used properly, will be a tremendous addition to any rural community which can access the measure. The Opposition needs to be convinced that access to the scheme will be fair and equitable for all concerned, and that a proper understanding will be developed of the definition of "rural communities".

MR RIEBELING (Burrup) [12.03 pm]: The Opposition supports the legislation, although I have severe concerns about some aspects of it. I am concerned that the member for Collie comprehensively accepts this measure as being good for all country areas, yet all areas experiencing some sort of development boom will not benefit at all from this legislation. I hope the Minister can point to where this new legislation will benefit areas in my electorate, as referred to by the member for Peel, such as Karratha and the mining town of Tom Price. They are the two main areas of concern relating to this legislation.

The Country Housing Authority, which replaces the Rural Housing Authority, will do its job much better than the former body, and the Minister is on the right track there. However, I am concerned that the Bill will not replace, or perform the function, of the Industrial and Commercial Employees Housing Authority scheme. Therefore, country areas with any sort of development will be worse off as a result of this Bill. The ownership of the ICEHA scheme is not claimed by the Labor Party, and I understand it was introduced by the Government of Sir Charles Court. It was a successful scheme, particularly in the Pilbara region and the town of Karratha.

The then Government said in its wisdom that small contractors who were likely to link into development projects would not have the resources to build housing for their employees. That situation has not changed. If a small contractor - say, an electrician, plumber or scaffolder - wins a contract for a job which employs five or six people, those workers need to be housed. During boom periods, the rent on a three-bedroom house in Karratha can be up to \$500 a week in the open market. Nevertheless, the company must house those employees or they will not move to the area for the construction jobs. Under the old system, ICEHA assisted the employer by providing government accommodation to those companies for the period in which their employees were in the region.

As the member for Peel indicated, a difference of \$300 a week was experienced on occasions between ICEHA accommodation and similar open market accommodation. This Government, for economic reason and short term gain, has looked at fully occupied ICEHA accommodation and decided that this asset should be capitalised. It has sold the ICEHA accommodation.

The Government states that the Country Housing Bill will replace the ICEHA scheme, but that is not the case. Under the replacement scheme, if I were an electrical contractor with three employees, I would need to approach the Country Housing Authority and request a loan to build two houses in Karratha. Two three-bedroom houses in Karratha would cost about \$320 000. Due to the nature of boom periods, contractors will be constructing accommodation in a peak market. The housing cost will be at the peak market when they arrive, and presumably they will leave when the construction phase of any project has reached its end and demand is at its lowest. Therefore, private contractors will buy accommodation in a peak market, and sell it during a slump in the market. The Government is asking small business people to build accommodation on which, at the end of the contract, they will owe more than it is worth. Also, the other benefits which flowed from ICEHA will not be available to small business.

The Government could have avoided this situation by simply putting more money into ICEHA and planning for the boom which it promises will soon arrive in the Pilbara region. As I said yesterday, the Government has claimed in its literature that the Karratha area will have \$10b or \$15b worth of new development in the next few years, and that projection does not include developments in the oil and gas industries. If we were to include petrochemicals and the next phase of the gas industry, we would be looking at about \$30b of new development. What is this Government's response and what planning has been undertaken?

This Government has sold off its housing asset in ICEHA and has reduced its Homeswest stocks in Karratha by about one-third. The brilliant minds who decided to flog off the housing assets must have done so in the knowledge that there would be an explosion in demand in the next three years - their own literature predicts that. Where is the Government's commitment to housing or public housing in the area? There is none. This document offers absolutely no hope for small business people in Karratha or those likely to come into the area.

The other unfortunate situation confronting the Pilbara relates to company towns. The vast majority of land available in towns such as Tom Price is controlled by one company; in this case, Hamersley Iron Pty Ltd. That company is going through a downsizing process, which means there is empty accommodation in the town and everyone knows it. However, that accommodation is not available because the company will not release it into the marketplace. It does release it to specific companies that it requires in Tom Price, and that is good for the companies that fall into that category.

The member for Peel referred to the example of a couple who two years ago purchased a fish and chip shop in Tom Price. The business will not employ hundreds of people and it is not of regional significance. However, it is a small business and it is very important to the people involved. It is profitable and the owners like the area, but for two years they have had to live in a hotel room. This Government has done absolutely nothing to address the needs of that family and other small businesses in the town. The response is that they do not qualify for Homeswest accommodation. They earn more than the limit and there is limited Homeswest accommodation in Tom Price. However, they also do not qualify for any other assistance. I told the previous Minister for Housing that the solution for Tom Price would be for the Government to approach Hamersley Iron to lease some of the empty accommodation and to make it available through the ICEHA scheme to small businesses. My understanding - perhaps the Minister can show me where I am wrong - is that that is not possible under the new legislation.

When this Bill was originally introduced I was incorrectly informed that it would replace the legislation under which ICEHA operates. This in no way replaces that legislation. ICEHA will cease, as will the purchase of bricks and mortar. The beauty of the old scheme was that the Government retained ownership of properties and during periods of boom the assets were released into the marketplace, which eased the burdens on small business.

Small businesses' taking advantage of major construction work is a benefit the State should not take lightly. It has assisted the Karratha region to become viable and remain so. Many areas in the south west are viable because of the construction work taking place in the Pilbara region. We are talking about billions of dollars and we have been told today that the Government is selling 70 houses from the ICEHA stock in Karratha - I thought it was more than that, but I bow to the adviser's knowledge in that area. Given the massive reduction in Homeswest accommodation, we are guaranteed to experience a crisis of monumental proportions when and if a major project is announced. Even if after today's debate the Minister changes his mind and recommits to bricks and mortar, the damage is done because the housing stock has already been sold. Those who have purchased it have made a wise investment.

As I said, this legislation is positive in respect of the farming community. The farming sector in my area is not particularly large or important, but it is enormously important in the south west. The problems being addressed in this legislation no doubt are real and must be dealt with; I have no argument with that. It makes sense to allow people to use their asset - for example, a farm - in a more flexible manner, and this legislation is extremely flexible. It allows for negotiation on interest rates. Although it does not mention the interest rate, we have been assured by departmental officers that the going rate will be 6.95 per cent, and lower in special circumstances where people show a greater need for reduced payments.

I can understand the need to support very small rural communities in which there is no real market for housing. If there were four or five houses in a community, the chances of someone wanting to purchase them would be somewhat limited and the Government would have to provide avenues for finance other than banks.

Some of the wording in the legislation causes me concern, and members will no doubt go through that in detail during Committee. The member for Peel referred to the fact that clause 10 contains some limitations. It was explained during the briefing that this is assistance of last resort. However, the clause contains the words "otherwise limited". That suggests options exist, albeit not many. The adviser said that the wording was included so that people were not required to go to every bank to get a certificate stating that no-one would provide the money. Perhaps a knock back from one bank would indicate that no bank would provide the money. I presume that is the reason for its inclusion. If one accepts that at face value, it is still not a very onerous test to pass in order to obtain assistance under this legislation.

It appeared to me during my chat with the officials that this legislation was quite deliberately structured to allow the authority as much flexibility as possible. That appeared to be quite openly the case. However, if the Government wishes to bring in legislation with such flexibility to allow the assessing officer discretion on interest rates, the grant of loans and the like, transparency in the process should be implicit in the legislation. That must be written into the legislation so that the people of Western Australia can be sure that if they wish to find out how Joe Bloggs down the road managed to get a loan at 2 per cent interest, they will be able to do that without having to go through the freedom of information process. I do not see that sort of transparency in this legislation. The Minister may be able to say that the regulations which will be attached to the legislation will develop that transparency. However, it is more likely that he will stand up and say, "It is a commercial transaction and, therefore, it will not be made public. We do not want those sorts of details to be known." I urge him to look at the damage which would be done to him and to the

ministry, if he put in place a system without absolute transparency for dealing with matters which may appear to the outside observer to be unequal. The Minister would know the dangers involved in showing preferences in politics and where it can lead when people quite innocently at times participate in that sort of operation. It will not do the housing authority any good, if that is allowed.

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

Mr RIEBELING: I also understand that the sale of the Industrial and Commercial Employees Housing Authority homes and the winding up of the Rural Housing Authority will result in approximately \$20m being made available over the next four years for this program. Some of the tests and obstacles that are put in place through the legislation are very small. If the general farming community finds out in full about the generosity of the scheme and wishes to take up this option in large numbers, the amount of \$20m will be grossly inadequate to cover demand. I may be wrong. The Minister may be able to tell us on what figures the projection of \$20m over four years is based and how many families it is anticipated will seek assistance and in what manner. The legislation will work in the vast majority of country regions but it will not work in those areas in which some sort of development is taking place. The member for Geraldton will no doubt find out about this when and if construction is started on the steel plant for his town.

Mr Bloffwitch: The only difference between Geraldton and Karratha is that we have a lot of freehold land that can be developed. It is ex-farm land and such like. We will not run into the same native title problems that you will have in Karratha.

Mr RIEBELING: The member's market is bigger basically.

Mr Bloffwitch: Yes.

Mr RIEBELING: I would have thought that this scheme will assist Geraldton by allowing farmers to relocate in the town when they retire.

Mr Bloffwitch: Most of them would not use it. They buy the best blocks in town. We do not have too many problems with farmers in our area, and good luck to them.

Mr RIEBELING: Perhaps Kalgoorlie is large enough also for it not to have the adverse impact which it has on the Pilbara. Basically, it applies to every small town in the north of the State. If some new industry were attracted to any of them, this legislation would not assist. It would not do what I thought the legislation was designed to do, which is to replace ICEHA. I hope that the Minister may be able to give some indication of, firstly, how he sees some sort of response in the Tom Price situation developing out of this piece of legislation or maybe out of Homeswest, remembering that people who want to access the scheme will not easily fall into categories of Homeswest tenants; and secondly, how he sees people in my area of Karratha grasping hold of anything in this legislation which is better than the system it will replace. I do not think the Minister will be able to do that. I am hoping that he will be able to say the Government will have another look and not necessarily do away with ICEHA. The part of the legislation which causes the Rural Housing Authority to be replaced has been done well, but not enough thought went into the destruction of ICEHA, which has been completed.

MS ANWYL (Kalgoorlie) [12.27 pm]: I have had an opportunity of reading the second reading speech and of hearing the comments of my colleagues. It seems that one of the key issues of the legislation is how it will function in an equitable fashion; that is, how will it be determined which retired farmers, businesses in the country and so forth will receive assistance? I will make some general comments on the issues facing my electorate and then on the provisions of the Bill.

I have had some experience of dealing with the Industrial and Commercial Employees Housing Authority. When I moved to Kalgoorlie-Boulder in 1990 I was fortunate to be employed by a firm which had an arrangement with ICEHA to lease a residential property. It made a big difference to the amount of rent I paid when I first moved there. Country members would be aware, as I am sure a number of metropolitan members would be also, that some very high rents are paid in the rural and remote areas of the State. It is also fair to say that in some rural areas there are exceptionally low rents. In Norseman one can still rent a house for something like \$20 a week. I am not sure of the current market rate, but not so long ago one could buy a property for a few thousand dollars. That may not be too far from the present situation.

Mr Bloffwitch: You can buy a house in Three Springs for \$1 200.

Ms ANWYL: Whereas in Kalgoorlie you could not rent a house for \$1 200 a month.

Mr Bloffwitch: It is all relevant to where the house is located.

Ms ANWYL: Absolutely. That indicates the variety of both rents and the cost of properties across the State. In

1990 in Kalgoorlie-Boulder not too many ICEHA properties were available. I do not have those figures in front of me now but my suspicion is that many businesses in the area would like to avail themselves of the opportunity that this legislation will provide. Clause 28 sets out the means by which people can make application for the purchase of land and/or dwellings to be erected to provide accommodation for their employees.

Housing is one of the most important issues in regional development. I note that there does not appear to be any National Party contribution to this debate. However, I am sure that members of the National Party who sit in this place are aware of the difficulties faced by people who want affordable accommodation in some of the regional centres. That is not an issue in some of the smaller towns but it is in other regional centres. The mining towns in particular have some difficulty with high rents. Last week I was prompted to raise the issue of the availability of Homeswest accommodation generally in Kalgoorlie and Boulder. On Friday morning I had contact with four women all of whom were estranged from their partners and had very young children. They were unable to access any form of accommodation. City members may not be aware that private rental is not an option in some of these centres. Port Hedland, Karratha and Kalgoorlie - I know there are many others - are examples of towns where private rental starts at \$250 a week. It is not negotiable and there are very few types of accommodation available for less than that, particularly if one requires accommodation with more than one bedroom. Many young single people reside in bed-sit arrangements and Kalgoorlie-Boulder has a multitude of duplex, triplex and unit-type accommodation springing up on regular blocks or even blocks that are smaller than the regulation quarter acre. It is very much worth keeping in mind the differing needs of areas of the State.

It will be important to monitor the effectiveness of the decisions that will be made by the new authority about access to the benefits available under the scheme. I would look at which electorates received the bulk of the benefit and carry out some sort of needs analysis of the demand for accommodation. I know that Homeswest waiting lists are not strictly analogous to providing housing to employed people in rural businesses, but that gives a feel for the availability of housing.

The member for Burrup commented on how the availability of land might impact on this legislation. I am focusing on the provisions that relate to employment rather than to retired farmers. Although my electorate has a retired pastoralist component and people who obtain employment from pastoral holdings they are not a very large percentage of my electorate, so my specific attention is directed to the provision of affordable housing to workers generally.

I would like to highlight one other area which falls completely between the gaps in relation to affordable accommodation. I have the joy - as I am sure do many other members - of sitting on a number of management committees. One of the key issues in the employment of professional workers, whether they be youth workers or counsellors in the so-called caring professions, is the extreme difficulty we experience in housing those employees. In many cases, regrettably, we must attract staff from outside the goldfields to fill these positions in Kalgoorlie-Boulder. One of the main impediments to attracting quality, experienced staff is the inability within the tight budgets of non-profit organisations to offer any form of rent subsidy. Only a couple of years ago I was informed that Homeswest had a limited stock of accommodation available for non-profit organisations, and in one case we were able to obtain Homeswest accommodation at Homeswest market rental, which is different from the average commercial market rental. That meant the difference between our retaining the coordinator of an automotive workshop project or his going to Perth.

Could the Minister give some consideration to widening the eligibility criteria of rural businesses? I am not sure whether the Bill contains a definition of rural business. The definition of rural employer would not take in anything other than the commercial-type venture. To facilitate regional development generally the criteria should be expanded to include non-government not for profit organisations, so that some subsidy is available to these groups. I am sure all members will agree that community based not for profit organisations are instrumental in service delivery in the country. In rural and particularly remote regions few services of that kind are available, as opposed to what is available in the metropolitan area.

Small business within Australia is, if not the largest employer, certainly one of the largest employers. It is important for regional development that we provide subsidies to small business owners so that they can attract quality staff. Country members will agree that one of the most common issues raised by small businesses in remote locations is their inability to maintain work forces. They do not have any trouble attracting professional, trade or skilled people but they have difficulty retaining them. Small businesses generally cannot compete with the salary packages that can be offered by larger companies. The classic example in Kalgoorlie-Boulder is the fitter machinist, which is a type of specialist sheet metal worker, who will come to Kalgoorlie often from interstate or perhaps the Perth metropolitan area and take up employment. After a couple of months in that job they are offered more attractive terms and conditions by a larger employer. The large mining service companies and the mining companies will leech the staff from small business and they become part of larger work forces. This militates against small businesses being able to run as successfully as they otherwise might.

Specific issues relate to young people because traditionally small business has been a fairly good employer of apprentice labour. The changes that are occurring through larger mining companies preferring to contract out jobs mean that the larger service engineering companies are taking on a lot of the responsibility, but without the commensurate employment of apprentices. A number of issues could arise out of that and members are certainly aware that with the developments in the north west of the State the employment of skilled labour is an issue.

I refer also to the effect of the lack of accommodation on regional stability. One of the most often cited reasons given by public servants for leaving a regional area is the standard of accommodation. I am aware that some important inroads have been made into improving Government Employees Housing Authority accommodation since the current Minister assumed responsibility for the Housing portfolio. The most notable improvement in my electorate is the undertaking that has been given to provide airconditioning. It has been welcomed across the public sector, particularly in those professions where employees are required to work shifts, such as the police and emergency services. In the past they have been forced to try to sleep during the day when in summer the temperature reaches 40 or more degrees. I acknowledge and welcome these initiatives.

Time and time again we face an inability to keep people in the country areas because of accommodation issues. I hope the Minister will be able to summarise the equity of the disbursement of subsidies that will be made available, address whether it might be appropriate to extend the definition of "rural businesses" and advise whether he has given any thought to the point I made about non-profit organisations. Clause 46 of the Bill is the review clause; therefore, some of the issues I have raised might already be in hand. I look forward to an explanation of the method by which it will be possible for people to access the scheme. Small business people are often under the hammer because of paperwork. What thought has been given to making details of the scheme available to small business?

MR BROWN (Bassendean) [12.44 pm]: I see from the Minister's opening statement in his second reading speech on the Country Housing Bill that this Bill is designed for two purposes: Firstly, to establish a new authority to facilitate the provision of housing for farmers, their employees, retired farmers and persons engaged in certain business and operations; and, secondly, to repeal the Rural Housing (Assistance) Act 1976 and the Industrial and Commercial Employees Housing Act 1973.

I took the opportunity to go to the 1995-96 annual report of the Industrial and Commercial Employees Housing Authority. In a letter to the then Minister for Housing which is attached to that report, which is in a loose leaf form, the chairman of the authority, Garry Spencer, notes the Cabinet decisions that were made in 1995. The letter reads -

In late 1995 Cabinet approved the amalgamation of the Industrial and Commercial Employees Housing Authority with the Rural Housing Authority.

The prime objective of the amalgamation is to provide more cost effective and comprehensive housing assistance in rural areas and to more effectively contribute to the commercial development of country communities.

In order for the amalgamation to proceed, it will be necessary to repeal the Industrial and Commercial Employees Housing Act and to amend or replace the Rural Housing (Assistance) Act.

He also referred to the other changes to the authority over that time.

This Bill is not something that comes out of the blue. It has been in the system for some time. In considering the stock that has been sold off we can see from that same annual report that at the commencement of the 1995-96 financial year the authority held housing stock of 192 and at the end of the 1995-96 financial year the housing stock had decreased to 126. I do not know whether the authority's latest report has been tabled in the Parliament. The Minister may care to enlighten the House of the authority's current housing stock. I am not aware of what it is.

Some of the changes in the nature of property being made available to government employees is also evident from the report. On page 7 of the report it states that -

The lack of demand for employee rental housing in some areas has meant that the Authority has continued to rent to private tenants. The number of private tenancies has decreased from 56 in 1994/95 to 38 in 1995/96.

It provides a profile of private tenancies which shows a decrease in the number of private tenancies. Members know that some areas, regions and towns of the State have expanded very rapidly and housing is difficult to obtain. I agree with the member for Kalgoorlie about the difficulty of acquiring accommodation in Kalgoorlie and the massive cost one has to pay for what is a relatively modest house in the metropolitan area, compared with other areas of the State where towns are battling to survive. As the population of a town shrinks, banks close and staff move on, and members know that there has been considerable hostility from communities about that.

Of course, that can start a process in which there are fewer children in the schools, and perhaps one fewer teacher is needed. There was a lot of concern. In the previous Parliament, the member for Avon headed a government subcommittee to look at the decline in some rural areas. With its decline and with the withdrawal of government employees from the areas in which the authority had houses, a surplus of accommodation is available. That is reflected in the figures shown in the 1995-96 annual report. The report shows that the stock diminished; therefore, we can expect that the people who were renting accommodation in a private capacity from the authority ceased doing so when the stock was disposed of. It appears there has been a run-down in the stock for some time. This Bill puts forward the future direction and the type of housing that will be made available for rural families, such as farmers, and its rural employees.

I have a number of questions about the direction of the Bill as a whole. In a general sense the first question arises out of the Minister's second reading speech which, in part, states -

Part 5 states that the standard rate of interest to apply to financial assistance will be published in the *Government Gazette*. It also provides for the Minister to approve a rate of interest lower than the standard rate, having regard to whether such an approval would provide economic or social benefit to the town or region.

I could not find where the explicit power is contained in the Bill - no doubt the Minister can point it out. However, I assume it is designed to enable a lower rate of interest to be set in given areas to promote them. The Minister is nodding his head, so I guess that is correct. Later the second reading speech states -

An officer from the department will also be appointed to assist the Minister in the administration of the Technology and Industry Development Act 1983 which will provide a link to the regional development commissions.

Those two parts of the Bill indicate that, firstly, where it will be in the interest of a rural town or region or some economic or social benefit will be provided, lower interest loans may be made available; and, secondly, there will be a linkage with the regional development commissions, which are very involved in looking at the opportunities given to regions and the infrastructure and infrastructure support that can be put in place to maximise those opportunities in attracting people to certain areas. Finally the second reading speech states -

In setting up the Country Housing Authority there will be a better focus on the housing issues being experienced by farmers, businesses and service providers throughout regional Western Australia. It will address a development impediment and encourage the provision of essential services . . .

From those three parts of the second reading speech, we can see there will be a thrust to look at providing lower interest loans when that will provide a social or economic benefit to the area that will qualify. The authority will be linked to regional development commissions, which are interested in the promotion of areas under their jurisdiction and know what is proposed in those areas.

This legislation will also be used to address impediments to development. I understand all of those things are good on the face of it. However, they must be linked to an industry policy. What is the Government's industry policy for Western Australia? I know earlier this week the Deputy Premier gave notice of a Bill that no doubt we will see tomorrow that might throw some light on the industry policy for Western Australia. I have read the documents issued by the Department for Commerce and Trade. However, emanating from the Public Accounts and Expenditure Review Committee last year was a substantial report, to which the Deputy Premier responded. It contained a key recommendation that the State should have a clear and comprehensive industry policy.

It is interesting to see that that view about the need for a clear, comprehensive, cohesive industry policy is now being echoed by Mortimer and Goldsworthy at a national level and by the Metal Trades Industry Association. It is not that an industry policy was something new that the committee thought of. It did not. The notion of having that policy has existed for some time, but it has been with some reticence that Governments of all political colours have come down with such a view.

The Howard Government is under pressure at the moment to come forward with a coherent industry policy for Australia setting out the industries that the States consider are vital for their future and to make sure what is required happens. Countries in which industries are recognised as being successful include Singapore and Ireland and, in more recent times, Malaysia, although there might be a question mark against it with its currency problems. The Government does not need a prescriptive industry policy because we must take advantage of the opportunities as they arise. However, some things that are in the state or national interest require an industry policy to set direction.

This Bill seeks to link in with that industry policy direction. I do not have a problem with that, and it is appropriate for that to be done. However, I wonder how it will link in when no policy direction is in place. Will it be a matter

for the Minister for Housing to make those assessments, which may be different from those made by the Deputy Premier or the Minister for Commerce and Trade?

One thing that comes out of all the literature, particularly the report by Mortimer, which is probably the most comprehensive study done on this issue recently, is the need for a Government to have a coherent policy of heading in a single direction, and not being pulled in separate directions by several Ministers going in different ways.

The question I ask - I invite the Minister to put the answer in *Hansard* - is how this will link with the broader state interest in these issues. How will this occur? It might work very well with some personal interests and it might satisfy some personal needs to relocate; however, how will it satisfy the needs in the State's interest? It must be borne in mind that a cost is involved, and the authority will not be in place simply as a matter of form. If funds are to be used for this purpose, it is important to make sure those funds are used effectively.

[Leave granted for speech to be continued at a later stage of the sitting.]

Debate thus adjourned.

[Continued below.]

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

PERSONAL EXPLANATION - MEMBER FOR ARMADALE

Notice of Question

MS MacTIERNAN (Armadale) [2.38 pm] - by leave: Earlier in question time the Premier may have given the impression that I had failed in some way to give notice of a question concerning a report that he ordered from the Public Sector Management Office. I have just received confirmation that the question was handed to a member of the Premier's staff - Casey Cahill - at 11.10 am today. This is the same document that the Premier's office has refused to release under a freedom of information application. I ask members to draw their own conclusions.

The SPEAKER: Order! The member should realise that the House almost inevitably grants leave for members to make personal explanations. What the member is calling a personal explanation touches on an explanation but also starts to debate the matter, so she has now concluded.

COUNTRY HOUSING BILL

Second Reading

Resumed from an earlier stage of the sitting.

MR BROWN (Bassendean) [2.42 pm]: I have addressed the need for the Government to have an industrial policy related to the objectives of this Bill. I wish to move on to points on government employees and the difficulty that some government agencies have experienced in trying to attract appropriate people to regional centres and their access to accommodation that might be made available through the authority. Although I accept that at a range of regional centres, the level of private and public sector employment has declined, at other centres the level of government employment is still quite high but government departments and agencies have experienced problems in being able to attract staff to those country regions. Teachers, nurses, police officers and in some instances prison officers and various other classifications of people need to be enticed in some way or another into country regions. Some years ago this was done by making available to such people accommodation at quite a low rental. Although employees were paid the same level of weekly pay in both the city and the country, the benefit was that they could go to the country and pay a low rent. It meant that if they had their own homes or, more importantly, they were paying off a home loan in the metropolitan area, they could rent that house out and not suffer a loss or even make a slight gain. Since that time, many people in departments and agencies have expressed reservations about going into the country areas, where the cost of accommodation can be quite high. I have asked questions in this place of the Minister for Labour Relations and other Ministers concerning what packages are being considered to attract employees to the country. The Minister for Police some three to six months ago - my memory may be a little out - was talking about the need for some packages to attract police officers to the bush. I wonder how this change sits with that and the concerns that have been expressed by other Ministers about attracting employees to country areas.

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

Mr BROWN: As I read these arrangements, they are for people to purchase houses and not rent them and in certain circumstances to be able to do that at a low rate of interest or in certain regions or towns an even lower rate. Although I can understand that applying to people who make a lifetime decision to move to a regional area, many

government employees and a number of employees in the private sector would decide to go to a town or region to receive a higher income while they are there or alternatively to gain some additional experience which would make them more marketable in the labour market and, therefore, potentially add to their prospects for gaining a higher income. Although some of them would be interested in acquiring property, others would not be. They would be interested in living and purchasing properties in the metropolitan area but would be quite happy to live in a regional area for perhaps two to five years. Many of those people would desire rental accommodation. Given the nature of the problems about attracting government employees to those regions, which are being experienced by various government departments and which have been echoed in this place by people like the Minister for Police, I just wonder how the changes in the Bill will deal with the problem expressed by him and other Ministers.

The priority for allocating housing is set out in the Bill. I appreciate that the Bill does not set priorities but in clause 11 it refers to people who will be eligible. I will not go into the detail but it refers to farmers and their employees, retired farmers and "in connection with certain businesses and services". I imagine that "services" would include public and private sectors tacked on the end and certainly given a much lower priority than the other two categories. The Minister is shaking his head but it seems that the needs of the farming community are first and second and the needs of the others are third. I appreciate that they cannot all be first.

Dr HAMES: That is exactly the point.

Mr BROWN: If I were interpreting the Bill and the way it flows and applying some rules of interpretation, I would read that to be the thrust.

Dr HAMES: It turned out that way more through the evolution of the Bill than the determination of priority. The other aspects were part of the first package of the Bill and the extra component was added in at a later date. I will explain that further in my response.

Mr BROWN: Accepting what the Minister has said, perhaps he will explain how that might sit.

People in some country locations, which might even include those where housing has not been able to be properly utilised because of the fact that the town or region is struggling, have expressed a desire to keep a medical practitioner. That has been quite difficult sometimes. I understand that attracting somebody with particular skills, such as a medical practitioner, to a region might involve providing a house or allowing the person to purchase a house at a lower interest rate. It might be argued in certain circumstances, such as with an independent doctor or someone who is working independently, that is in the best interests of the region and therefore some form of subsidy should be provided for that purpose. However, I am not sure whether there would be that same need in a commercial operation. It might provide an economic benefit for the region and therefore one could say that it is important for the development of that region. However, it might provide a much greater benefit for the commercial interests in that region to have a person with those skills and attributes. In those circumstances should a person receive from the State a subsidy when the corporation he works for is, to put it broadly, doing relatively okay? Perhaps the Minister can explain how that will work.

I can understand the economic and social benefits to the region, although it seems difficult to rationalise how that will work in practice and how judgments will be made when there may be significant commercial benefits from having that person there, when that person will be paid relatively well, and when the organisation for which he or she works will get a reasonable income for labour and effort. We can deal with matters of detail concerning the Bill during Committee. However, they are the broader policy issues on which I am keen to hear the Minister's views.

DR HAMES (Yokine - Minister for Housing) [2.52 pm]: I thank members who have contributed to this debate for their comments and their general support for this Bill. I am excited by the prospect of this development and the opportunities it will provide in rural Western Australia to assist small businesses, farmers and local government to provide better quality and more available housing in their regions. One of the major problems we might have with this legislation will be that it will prove to be popular. There will be a big demand and down the track we will have to look at how we will make resources available to cope with that demand. This has the potential to address a fairly wide range of issues and a large number of problems in rural Western Australia.

I will go through some of the points that were raised, particularly by the member for Peel. I can confirm some of the figures that he provided. Yes, \$12m worth of assets is correct. That will allow for loans of \$20m over the first four years, and a further \$2m a year will be available in ongoing loans from that time. The authority will be able to access funds to provide further loans should the need exist.

As stated by the member for Peel, determining fairness and equity to all people within the community and who is eligible to apply for those funds is very important. Clause 10 gives the authority a wide degree of flexibility to decide those points. Some aspects of the scheme will be fixed. For instance, the interest rate will be set and published in the *Government Gazette*. The rate is 6.95 per cent. Such points as the duration and size of the loan will be set by

policy. The current policy is a 15 year repayment period and the current upper limit on the loan is \$120 000, although I am prepared to reconsider that, particularly in view of the comments of the member for Burrup and the cost of providing services in towns in the Pilbara and other parts north that have high costs and housing shortages. Those aspects will be decided by policy.

Variations to the interest rate can occur and a provision exists to come at least 1.5 per cent below the recommended rate. The decision on whether that interest rate will be lowered must be transparent and accountable. It is important that we ensure a system is in place to do that. I will be looking closely at the way that is set up. It is not set out in the legislation. At present the process is designed so that any recommendation that comes from the board on a reduced interest rate must go to the Minister, and the Minister must approve it. This must be in writing and will be accessible under freedom of information legislation and also subject to audit of the Country Housing Authority. Details like that will need to be in the public view. I agree with the member for Peel about transparency. It does not matter who is in government, it is important that things like that be available for public viewing. That will ensure that nobody is given unnecessary preferential treatment.

I will touch on the comments of the member for Bassendean on social versus economic benefit. That will determine whether there will be a reduction in that interest rate, which we expect to see as the exception rather than the rule. The decision would not be based only on economic value but on the need in the community. At the end of the day within the economy somebody will always benefit. When one considers the great need to provide a doctor within a small country town and local government's difficulties in repaying any finance that is provided, a good case can be put for reducing the interest rate and ensuring the repayment of that loan.

Members opposite were concerned about the areas within the country that will have access to this loan facility, and Mandurah, Bunbury and Busselton were mentioned. I agree that it would be inappropriate to provide funds for developments in those communities. In considering this package members must review the operations of the Rural Housing Authority and ICEHA. The same opportunities were available to the Rural Housing Authority to lend funds. The authority made the same sorts of determinations on who was eligible. Decisions in the future will have the same transparency as before. None of that will change.

The conditions that determine who is suitable to receive a loan that are listed in clause 10 are broad. The authority must ensure that the resources of the authority are managed to assist those persons for whom it considers housing finance options are otherwise limited. There will be a great deal of competition for the funds that are available. As in the past the Rural Housing Authority that will become the Country Housing Authority upon its amalgamation with ICEHA will have to make those same decisions. The authority will have limited funding and a great demand. It will have to assess carefully the needs of country communities to determine those persons whose housing finance options are otherwise limited. Certainly, housing finance options are not limited in larger country towns like Mandurah, Albany and Busselton. In no way would the Country Housing Authority provide housing assistance packages to people living in those areas. Certainly it had the opportunity to do that in the past, but it said no.

The conditions which have applied to the value of assets held by a person who applies for a loan will continue to apply. A person's assets will be assessed by the assessor of the company to which the loan is presented. A person who has considerable assets will have the opportunity to obtain a loan from elsewhere. I remind members that the interest rate of 6.95 per cent is not the lowest interest rate available. Anyone with reasonable access to funds would not seek funding through this scheme. They would go to a bank where they will get a better interest rate. This scheme is available to those people who are unable to get funds through other means.

As the member for Peel said, the establishment of this authority will create a tremendous opportunity for people in country areas. The authority will assist farmers who need to provide accommodation for their employees. They will be able to provide accommodation on either their property, as was the case with the Rural Housing Authority, or in the local town. The authority will provide funds to farmers who wish to retire to the local town where they will be close to their family and remain in the area in which they grew up. That is extremely important.

In the past, when farmers have retired they have left their community and set themselves up in Mandurah, in the city or close to the beach and it has been difficult for them to raise funding through their farm, which they hand to their children, to purchase a house in the local community. It has been a great burden on families to work out how to raise the funds to purchase a home for dad and mum who want to retire to the local town. This Bill will provide the opportunity for farmers to do that.

I acknowledge the problems that have arisen through the decrease of population in country areas. Perhaps since I have been Minister for Housing I have not visited those country towns which are experiencing problems. Since assuming responsibility for the Housing portfolio the population in every town I have visited is increasing. People are starting to move back to country towns. In the last few weeks I have visited Moora, Perenjori, Wongan Hills, Lake Grace, Lake King, Ravensthorpe, Jerramungup and Newdegate and people in those towns have complained to

me about the lack of housing for people who want to live and work in those towns and the difficulty confronting small businesses that want to expand.

Mr Marlborough: Is it true that Lake King is looking at a 20 per cent increase, from four to five.

Dr HAMES: It is not as small as the member said in his speech. I heard him say that there were only six houses in Lake King. The people of Lake King are very happy because the Government just gave them significant funds through the Water Corporation of Western Australia to extend the catchment area for their dam. They have been lobbying for it for a long time. They call me the second coming of Ernie. I do not know whether he is the right age for my second coming!

Employees in the country are desperate for accommodation. A good example is Wongan Hills. When I visited that town I met with the local business people and spoke to them about this legislation. Three or four businesses in that town each employ at least 50 people and there is a huge shortage of housing. They have strong support from the local council, but because it is not far from the city, people live in the city and drive there each day to work. The people in Wongan Hills want to encourage people to reside in the town.

Under the scheme proposed by this Bill, the local authority can provide the land and, with the support of the small businesses, it can borrow the money at an interest rate of 6.95 per cent. The businesses will guarantee to meet the difference between the cost of providing housing and the loan repayments. For example, if the loan repayment is \$1 000 a month and the rent is \$600 a month, the local businesses can make up the difference of \$400. As a variation to that we can reduce the interest rate, but, as the member for Bassendean said, we must look carefully at the social circumstances. I do not see that as a circumstance for reducing the interest rate; however, if a town were desperately trying to find a medical practitioner or someone whose service were important to the local community, it might be a circumstance in which we could do that.

The member for Bassendean referred to something that has been put aside in this debate and I refer to Government Employees Housing Authority housing. I suppose it explains the reason that the ability for local government to take up the loan is at the end of the list. The original legislation was designed to amalgamate the Rural Housing Authority and the Industrial and Commercial Employees Housing Authority to provide loans for rural businesses and farmers.

As a result of the problems I have experienced with GEHA providing housing for government employees, I felt this was a tremendous opportunity to expand the scheme to give local authorities the ability to borrow funds for housing. From the discussions I had at Wongan Hills, it will be of greater benefit than I thought. It was originally designed to address the GEHA problem. Members are aware that under the lease back arrangement, an investor must be found to buy the property. In the larger country areas like Kalgoorlie, it is not hard to find someone to invest in a property that GEHA can lease back. However, an investor will not invest in building a house in the smaller country towns because of the low rental return. We are looking at an alternative. GEHA housing is not available in some small country towns. Ravensthorpe is a good example because someone working in that town has to live at Hopetoun which is about 50 kilometres away. In such towns, the local authority can take out a loan and provide the housing and GEHA will pay the rent.

Mr Riebeling: Why shouldn't the Government provide housing for their employees? Why should the council have to borrow money from this group to build housing for your employees?

Dr HAMES: It is a matter of availability of housing and whether people should rent.

Mr Riebeling: It is the Government's responsibility to provide housing for its employees in places where there is not any.

Dr HAMES: The Government has its priorities and it is not practical to provide housing for every public sector employee. A lot of accommodation is provided by the private sector. I have spoken to many local authorities about this Bill and they are in favour of it. The housing shortage is not a recent problem. It has been a problem for many years. Dandaragan is an excellent example. The town was trying to obtain the services of a teacher and that person was not on the priority list which is set by the Education Department and GEHA accommodation was not available. It means, in effect, that they can bypass the system. Those in local government can say, "You cannot provide the housing, so we will." The local government authority can do it by taking out a loan, with the repayment being made by the Government Employees Housing Authority, and can provide accommodation in the community where the teachers should live. At the moment they are staying in another country town. They do not participate in the social events or purchase goods from the local shops; they are part of a separate community. One of the big benefits from the changes to this legislation is that it will provide opportunities for local government to be more involved in shaping the direction of its future. The local government authorities have been doing that. Through Homeswest we have also done deals on joint housing, mostly for aged persons' accommodation.

Mr Riebeling: That is a little different. You are talking about a government department that provides a person, but no accommodation. Whose responsibility is it to educate the children of Western Australia? Does the State Government have a responsibility to do that?

Dr HAMES: What the member says is true; however, we must be practical. No government has been able to afford to do that through the systems that have been in place previously. The member for Burrup says that we are not providing this housing. In effect, we are. The local government authority is only the facilitator and the manager. We will provide loans - therefore, the funding - and the repayments.

Mr Riebeling: You should be in the banking industry!

Dr HAMES: It provides a manager. We need someone to look after the management and maintenance of those properties, rather than some bod in a central office in Perth trying to coordinate the management of the housing in all these remote communities. The member knows very well that it is not working. The management of many of the GEHA houses in local communities is just not up to scratch, and we must find a way to fix that.

Mr Carpenter: The Education Department is appointing people to country towns and then telling them there is nowhere for them to live.

Dr HAMES: I understand that is a problem, and it has been going on for a long time. I am unhappy about it, and I plan to address it in the near future.

Mr Carpenter: Are they provided with camping equipment when they are sent off to these towns?

Dr HAMES: I understand that if there is nowhere for them to stay, inevitably, the local council arranges something, or a family takes them in, or they are put up at the local hotel or in the next town. They might have to drive for an hour to get to work. Generally accommodation is available for them somewhere in that region. In the past no Government has been able to afford to provide that accommodation. I think we can get around that system by getting the local government authorities to look after the property and manage it. That is the key. We are providing only the loan and the repayments. In effect, we are providing the housing, but in a round about way.

I refer to comments by the member for Burrup, particularly with regard to the interesting issue at Tom Price. I would like to try to do something to help. Perhaps through this debate we can work out how that can be done. Let us take the case in the example given by the member for Burrup where the fish and chip shop owner earns too much to qualify for Homeswest accommodation. That person must earn a fair amount because in those towns where the rent is very high, people can earn up to \$50 000 a year and still qualify for Homeswest accommodation. The person obviously earns in excess of that amount. The difficulty is in finding the land. If a house was on land, the person could perhaps get a loan on his own behalf. The availability of the land and the house in the country town is a problem. Perhaps that is where the Industrial and Commercial Employees Housing Authority could have helped, and I concede that point.

We must ask whether another opportunity is available. That opportunity must be for alternative land; for example, that land can be owned by Homeswest, the Department of Land Administration or local government. The member would know much better than I do what other land is owned outside that made available by the mining company. If the land is owned by Homeswest or DOLA, it could be made available for sale as part of a package that would include the loan to enable a house to be built. Alternatively, if the local government authority had concern and had land to make available, it could take out a loan, build houses on the land and either on-sell them or rent them to those who were seeking accommodation. I am willing to help in any way I can. Perhaps the member for Burrup - I can do this if he would rather - can look at the land that is available outside that owned privately by the mining company which could be used for that purpose. The chief executive officer who is the director of this organisation is in the gallery. I am sure we can look at a system that will make available a loan package that might address that issue.

The difficulty is still the cost of building the house. If a house on that land costs a large amount to build, people will still have to make the repayments on it.

Mr Riebeling: Have you covered Karratha in the program?

Dr HAMES: No; I have not. The comments the member made about ICEHA having a lot of its stock in Karratha are true. That came about in the days when Karratha was developing. The boom and bust cycle was much more prominent in those days than it is today.

Mr Riebeling: That is a bold statement from a Government that is promoting the boom.

Dr HAMES: Even if I am wrong, the person who earns \$1 more than allows him to get into schemes and to purchase his own place today is in trouble. If the member owned a place today and bought one tomorrow, he would be in

exactly the same circumstances: If a bust is coming and he has taken out a loan for that amount of money for a house, he will lose out just the same.

Mr Riebeling: The difference is that during the construction phases on the Burrup Peninsula, some jobs require housing for two months, six months and even 18 months. In the Karratha situation people cannot rent a house, because there is none. ICEHA solved that by having a stock of houses at a reasonable price that was affordable for contractors and small business.

Dr HAMES: That is true. It was very effective in those early days.

Mr Riebeling: It would be very effective now, too.

Dr HAMES: The problem was that all the buildings were full and being well used. It needed a big injection of money to build or buy a lot more under the old ICEHA program. That would have been effective. It is just a matter of demands and where the money is and where it all goes. Under this system the fund that will be available will still be there to invest in or build the houses. It is still available for local government to do those things. If it feels it must build accommodation, it can. The local government authority can borrow funds to try to address that problem.

Mr Riebeling: There is an obligation on DOLA to address these huge lumps in development, which the Government is creating by promoting these projects. That is great; however, they create price hikes. If there is stable housing, it reduces the peaks in the demand and keeps the price at a sane level.

Dr HAMES: I accept that; however, the housing that was there before would not be sufficient for the boom we are going through now and will go through in the future. Particularly given the cost of housing, a huge injection of funds would be needed to cover the demand that has arisen. I am having enough trouble with Homeswest. I am trying to provide sufficient houses. I am having another meeting with the CEO to discuss the housing in the member's area and in Port Hedland, and what we can do about the huge demand on Homeswest. Part of the problem is that the demand is getting larger in not only the north west, but also Kalgoorlie because more people are moving to those country areas.

The difficulty is that people earning up to \$50 000 a year can still access Homeswest housing. I was thinking of changing that, and I looked seriously at doing something about it. However, with rents at between \$250 and \$300 a week, those people earning \$50 000 a year in the private sector would be paying 25 per cent of their income on accommodation. People earning \$40 000 a year would be paying more than 25 per cent of their income on accommodation, which is above the percentage accepted as reasonable. Therefore, if those changes were made it would push out a large number of people. The difficulty I have is that Homeswest should be providing housing for lower income groups, and people in Kalgoorlie on sickness or social security benefits are waiting at the end of a list behind people who are earning \$50 000 a year. It is inequitable.

Mr Riebeling: People who earn \$50 000 in Karratha are low income earners.

Dr HAMES: That is true, but it seems inequitable for people on social security benefits to wait behind someone earning that amount of money.

Mr Riebeling: Not when the price of housing is out of the range of a person earning \$50 000.

Dr HAMES: The member is putting the argument that I conceded to Homeswest, as a result of which I backed away from it. It makes my life difficult and I feel uncomfortable that people on social security benefits are on priority waiting lists for eight weeks when people earning those amounts are in a house.

Mr Riebeling: The problem generated in Karratha is that you have sold too many houses. I understand 85 have been sold.

Dr HAMES: Homeswest has built more houses and has bought houses in other areas. That is exactly the issue I will address in the next week or two. I will look at that program to see what is being done. The program is working very well elsewhere. Under the urban renewal program and regional renewal program, Homeswest is trying to change areas that have a high percentage of Homeswest ownership. We are trying to spread them out and improve the standard of housing. It has proved extremely successful. It is working everywhere else but not in the north of the State where the demand is burgeoning.

Mr Riebeling: Plus there was never that concentration.

The SPEAKER: Order! Members I have allowed many interjections because they have been constructive. However there is a point at which it should draw to a close.

Dr HAMES: The member for Kalgoorlie asked how it would work in various regions and who would have priority.

Homeswest does not determine any priorities, they are determined in the same way as they were in the past under the Rural Housing Authority. When applications are received they are considered on their merit, and housing and support are provided in the areas of greatest demand. That process will continue.

The member for Kalgoorlie suggested widening the criteria to cover non-profit organisations. It is not possible to do that. It certainly is not covered by the legislation and it would not be possible without amendment. That is not appropriate at this stage when there is an opportunity for the Kalgoorlie-Boulder City Council to be involved. We are talking about non-profit organisations within a community. The member will know that the local council is keen to support them. It can take out the loan and rent the property to the non-profit organisation. The council will become the manager of the accommodation, in the same way that under the housing packages it manages aged persons' accommodation. I thank the member for her comments on airconditioning. I have been receiving good reports about the ducted airconditioning, particularly from Kalgoorlie. With summer coming, it will be even more welcome.

The member for Bassendean asked about the current stock. At 30 June 1997 the stock was 70 properties, of which between 20 and 30 have since been sold. Others are in various stages of being marketed. That figure is coming down.

With regard to linking more broadly with the State and having a state responsibility for housing, first, I am looking at the structure of my ministry to give it broader representation. Second, the new Country Housing Authority will be required to work closely with the nine regional development commissions to make sure this matter is coordinated. Also, the Deputy Premier said that the overall state industry package puts together that future development. It will be very important for them to work with these regional development commissions to determine the areas of greatest demand.

Mr Brown: Will the money raised from the sale of properties be used to finance the loans?

Dr HAMES: The \$20m to be made available immediately and over the first four years for loans will come from the sale of those properties. All the money made from selling the properties will go straight into the fund to be loaned out. Nothing will go into government coffers, and it will all be part of the initial \$20m loan package. The \$2m per annum will be met from repayments on the \$20m initial loans. That will allow ongoing development, and any further funds will be accessed through different means.

Mr Brown: Does it mean the Government will subsidise it after a while? An amount of \$1m will cover 10 houses.

Dr HAMES: We can perhaps deal with that point in Committee.

Question put and passed.

Bill read a second time.

Committee

The Chairman of Committees (Mr Bloffwitch) in the Chair; Dr Hames (Minister for Housing) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Mr BROWN: My first question relates to the definition of "family member". Paragraph (a) refers to remoter lineal descendant. I am not sure what it means. Can the Minister advise me?

My second question relates to the definition of "farming company". The definition of "farming company" is a corporation the shares in which are not listed on a stock exchange and which has assets which include the items that are set out in the definition. Why is a distinction drawn between a corporation the shares in which are not listed on a stock exchange and a corporation the shares in which are listed on a stock exchange, given that many companies that are not listed on the stock exchange still have tradable shares and can have a multiplicity of owners? It appears from the definition that a farming company does not have to be a private company in the sense that all of the shares are owned by the farmer. A farming company can be a corporation the shares in which are not listed on a stock exchange and the assets of which include farming property, and have a number of owners who are non-farmers. I am concerned also about the principles of government assistance and equity. A person is not eligible to rent a Homeswest property or to receive Homeswest bond assistance if he owns a home or a block of land. I understand the need for that criterion, because otherwise quite wealthy people could apply for a low interest loan or to rent a Homeswest property, and the whole situation would become a farce. However, if we are trying to achieve some equality across government policy, how is that compatible with the principle contained in this Bill, whereby a person who has equity in his home is eligible for assistance?

Mr RIEBELING: I am interested also in the lineal descendant provision and would like the Minister to give a quick explanation.

In order to qualify as a retired farmer and be eligible for a loan to build a home off the farm in a small town or similar place, a person must transfer his or her farm to a family member. The Bill does not indicate whether transfer to the wife or husband of that person will be sufficient or whether it must be transferred to a son or daughter, which I presume will be the norm. Why should a retired farmer receive special consideration for the provision of housing? People in small business who wish to divest themselves of that business, even to a family member, must sell that business for whatever price they can get and use the proceeds to purchase a home. Is it implicit in the definition that this provision will apply only when the value of the farm is not sufficient to adequately finance a retirement home of some sort?

Mr MARLBOROUGH: I return to my colleague the member for Kalgoorlie's question about non-profit organisations. The Minister said that if an organisation in a town like Kalgoorlie, such as a church group, wanted to take on a youth or Aboriginal project, sought the services of an appropriately qualified person and required accommodation for that person, local government would step in. If the intent of this Bill is to provide for the needs of the rural sector, a large church organisation, or a Rotary or Apex organisation, should qualify for the same type of assistance.

The reason that the Minister should consider this matter, even at this early stage, is that the Government has a policy of outsourcing many community care activities. I can name a proliferation of agencies that have won contracts from either the Minister for Health or the Minister for Family and Children's Services to provide services for the disabled and the aged that were formerly provided by the Government. I am sure that a number of those agencies exist in country areas, and they should also be considered in this Bill so that people do not have to ask the local shire to pick up the tab. There may be a conflict of interest between a local authority and a church group that wants to set up a youth or Aboriginal program where the local government does not want to be involved in youth matters or does not want to be seen to be supporting a religious organisation to provide an Aboriginal program. The Government's policy of contracting the provision of these services to the private sector has caused that area to grow and become increasingly important, and that matter must be looked at. Is the definition appropriate? Some of the industries may traditionally take place these days on so-called farmland, particularly tourism and aquaculture. Aquaculture might take place on a large pastoral lease and could be a very important part of the overall production of goods coming off that property.

Dr HAMES: In response first to the member for Bassendean, a remote lineal descendent refers to a grandchild or, if one is fortunate enough, a great grandchild. The reference to farming companies that are corporations not having shares listed on the stock exchange is to avoid large companies that own farms trying to access loans. I take the member's point that a farm could have multiple owners. However, by referring specifically to farming companies not having shares listed on the stock exchange, we are trying to make it clear that this facility is for the average everyday farmer who might seek assistance from the Government to build in a local town. I am not aware of any farms listed on stock exchanges that would fit that category.

Mr BROWN: I will stand corrected by those who know the law better than I, but under Corporations Law, a public company could be listed on the stock exchange and be the primary owner of a subsidiary company not listed on the stock exchange. With, say, 30 per cent ownership, it could effectively own and control that subsidiary company not listed on the stock exchange, which could qualify for a loan.

Dr HAMES: That might be true; the secondary company would qualify to seek assistance. However, at the end of the day the people determining who gets the loans must take into account that it is for people with only limited finance. That company might be nearly broke and that would be a matter of consideration for the board which will make a decision on where best to apply the finance. At the end of the day it will be a decision for the board. Those restrictions have not existed in the past. Under Rural Housing Authority legislation prior to this, those decisions had to be made by the board when it came to providing finance. We cannot cover every single possibility of who owns a farm because of the complexity of ownership nowadays. It must be a decision based on the applications and who best fits the criteria.

The member for Belmont referred to assets versus eligibility. The same provision applies. These funds are for people who have limited financial options. The assessor will determine what assets the person making the application has and whether he is eligible. Unlike welfare housing, the criteria for incomes and assets is clearer and more tightly controlled. We are talking about a very wide variety of applicants for funds to either local government, farms or companies wishing to provide accommodation.

In some cases the companies might have reasonable assets. For example, companies in Wongan Hills are well off. However, it is not sensible or equitable for them to fund loans from their own borrowings from a bank. The local

community wants them living in the town. The worker does not care; he walks out the front door at the beginning of the day and in at the end of the day so that he gets his job done. We cannot be too tight with the amount of funds available to fund these communities.

Mr BROWN: I appreciate that companies would not want to go into debt to buy housing. However, when the company gets a low interest rate loan for its employees, the company owns the houses and the employees rent them from the company. Under the correct circumstances, it could attract a substantial capital gain on the sale of a house. In those circumstances, is it appropriate to clawback some of that capital gain or would it be a windfall? They are equity considerations because they involve public funds which are being lent out at lower than commercial rates.

Dr HAMES: It would not be lower than the normal rate. At 6.95 per cent it would be slightly higher. Any business could get loans cheaper than that.

Mr Brown: For the first 12 months perhaps.

Dr HAMES: No; I had this argument with the member for Armadale over Keystart loans and interest rates. The average was between 6.7 per cent and 7 per cent. The ANZ Bank rate was 7 per cent and the National and Commonwealth banks were about 6.7 per cent for a variable interest home loan package.

Mr Marlborough: The underlying point made by the member is the chance of a significant capital gain for a company once given the money. What happens to that significant capital gain? Does it become a windfall?

Dr HAMES: There is limited opportunity for capital growth in small country towns; they tend to go backwards rather than forwards. However, in a place like Karratha, there could be a capital gain to the person taking out the loan at 6.95 per cent. At the end of the day that would be no different from the member for Belmont or me taking out the loan. We are lending at a rate that is not costing the Government money; it is higher than the rate at which we borrow the funds. It is not as though the Government will be losing money doing this; it will be creating opportunities for people. The potential to make a capital gain should be taken into account when the loan is provided in the first place. They must weigh up which is more important - the possibility of someone making a profit from a loan provided by the Government or the demand in the area in which there is a desperate shortage of housing. It will be a difficult choice.

The member for Burrup referred to the transfer of property, and queried whether it would be to the family or to a spouse. The transfer could be made to a spouse; for example, a couple may wish to split, but one partner may wish to stay in the area in which the couple has always lived. In that case, the husband or wife can stay with the farm, and the spouse who decides to leave can access the loan to stay close to the family and the local community. The member also referred to the case of someone receiving \$500 000 from a sale. Again, the requirement is for only those with limited finance. Anyone who receives funds from the sale of a property would not be eligible. Usually no money is transferred; the farm is handed over to the offspring, and the parents receive no money but move on.

The member for Peel spoke about church youth group projects. His point was valid, but there is no provision in this legislation in that regard. Our difficulty is that we cannot be all things to all people. To some extent it is better to have a filter with the local government making the decision about which community group it will support. There are many community groups, and they also have access to lotteries funds. I am sure the ICEHA has assisted people to make such applications. Sometimes Homeswest provides properties for community or nonprofit groups to provide accommodation. Because there will be a large demand, I think it will be better for the time being to leave this as it is and address it in future.

Another point made by the member for Peel related to aquaculture activities. I wanted to add such a provision. It is in the spirit of the definition of other farming activities. We could list many more. In retrospect it might have been nice to include aquaculture because it is so recognisable. However, it has not been included, although it is referred to in the spirit of the definition.

Clause put and passed.

Clause 4 put and passed.

Clause 5: Membership of Authority -

Mr MARLBOROUGH: Local government will play an important role in the enforcement of this legislation, and, in many circumstances, if officers are smart, they will use this funding to assist the community. I suggest that when appointing the four members to the board, the Minister consider appointing at least one person as a local government representative. I do not say that a local government representative would not fulfil the criteria contained in subclause (1)(a). However, it is not unusual to include a specific position for local government in legislation. Perhaps instead of including a local government representative as one of the four, that representative could be an additional member

of the board. I note that the Minister has the ability to second people to the authority from time to time. This is simply a suggestion, because it is important that local government be represented. Local government may feel miffed if it does not have an appropriate representative position which recognises its important role in making this legislation work.

Dr HAMES: To some degree it may be my fault that local government representation is not included in the changes. This occurred after drafting of the Bill. Local government may fall within the wording "in another field relevant to the functions of the authority". I do not think I need to amend the legislation, but I wish to place on the record my commitment to appoint a local government representative to one of the four positions on the board. Local government has an important role to play, and it is essential that it be involved.

Clause put and passed.

Clause 6 put and passed.

Clause 7: Staff and facilities -

Mr BROWN: The clause sets out how the authority may use either the full time or part time services of any officer or employee of various bodies. Why is the authority not permitted under the Act to engage its own staff?

Dr HAMES: It is common practice for small agencies to be provided with administrative support by making staffing facilities available from other larger agencies. This was the case with the Country Housing Authority's predecessor, and the flexibility of that arrangement is retained without the need for its own specific employment powers to be given to the new authority. It can then focus on its primary task without the distractions associated with being a legal employer. The people managing that authority are very happy with the way it operates. They think it is the best method, and I am happy to let it continue.

Mr BROWN: First, given the current nature of the mix of work done for the authority by the public and private sectors, does the Minister intend to change that mix? I note provision elsewhere in the Bill for the employment of consultants and agents, and so on. Secondly, what will that mean for the work hours currently being put into the authority, and what is anticipated in future? The nature of the work that is carried out currently will change, given the emphasis of change in this Bill. The agency will change from one that held properties in its own right and rented out those properties to one that will provide loans for other people to purchase properties.

The functions are different; therefore, questions are raised about what will be involved in staffing and the workload. I thought the latter function was more labour intensive and that the new function of processing loans and eligibility was probably a less labourious function than the former. I do not know whether I have it right. It seems the function will change and the work carried out will become less, given that the agency will in effect become a lender.

Dr HAMES: The answer to the first question is no. The answer to the second question is that the Government is combining two previous authorities - the Industrial and Commercial Employees Housing Authority and the Rural Housing Authority. It is expected that the combined workload of the new authority will be similar to the two former authorities. The member for Burrup is right: Previously there was more to do in the management of properties; now there is more to do in investigating applications, particularly since the system has been opened up to local government as well. I expect there will be a fair demand. It will be tailored to the demand for the loans. If the authority lends just the amounts that are required currently, the member is right - the work will be less. However, if there is increased demand, the workload will increase.

Clause put and passed.

Clause 8: Protection of members and staff -

Mr RIEBELING: This is a broad provision. Is this a similar protection to that which exists under both Acts that this Bill seeks to repeal? Is the provision in the other Acts as broad as the provision in this clause?

Dr HAMES: The provisions in clause 8(1) to (4) are common to all recent Bills for the establishment of statutory authorities.

Clause put and passed.

Clause 9: Confidentiality -

Mr RIEBELING: I said in my speech in the second reading debate that it is dangerous to have confidentiality in the process. The process should be as transparent as possible. The commercial nature of many transactions could be used as a shield to prevent the public finding out about actions of the authority. If that is to be the case, and if the confidential nature of the transactions will be protected, the authority is in for difficult times because these days the

public will not accept that degree of secrecy involving government funds - and rightly so. What types of transactions will remain confidential?

Dr HAMES: I am not sure whether the member for Burrup was in this place when I talked about transparency. I agree with his comments on that. The person referred to in clause 7, which is virtually anybody - the public servant or whoever is the employee - must not directly or indirectly record, disclose or make use of any information obtained in the course of duty, except for the purpose of performing functions under this legislation. The functions under this legislation require the person to complete formal assessments of the finances and so on of someone making the application. He is allowed then to record any of the details of the person making the application. Clause 9(b) states "as required or allowed by this Act or under another written law". I assume, although I am not a lawyer, that that would cover also the Freedom of Information Act; that is, any recorded information that is made by someone in the government department, especially information to the Minister, is available for public disclosure through freedom of information legislation.

Mr RIEBELING: I appreciate that explanation. However, I indicated in my speech in the second reading debate that I hoped the public would not have to go through freedom of information legislation to obtain information; that the process should be more transparent than that. The Minister knows as well as I do what small country towns are like. If special circumstances are applied to a loan in Wagin and if one person is given preferential treatment over another, that information will get around, even in the most confidential set of circumstances. The Minister's advisers said the majority of applications would have the same interest rate of 6.95 per cent, and that is acceptable. It is not those cases - the normal cases - that concern me and that should concern the department. I am concerned about 2 per cent loans when it is acknowledged a property has no resale value because of the size of the town, for instance. Those special arrangements should be as transparent as possible. The public should not have to resort to the freedom of information process as the only way to get access to information, as set out in paragraph (b). Perhaps paragraph (d) addresses my concern. I do not know what are the prescribed circumstances. A penalty of \$2 500 applies; therefore, most bureaucrats would be reluctant to breach this clause. However, the prescribed circumstances may indicate that regulations will be attached to this legislation, on which regulations the prescribed circumstances will be elaborated. Is that the case?

Dr HAMES: Those prescribed circumstances are not specific regulations; they are standard regulations. I gather that is a standard clause in many Acts relating to that sort of issue.

Mr Riebeling: So prescribed circumstances are not necessarily prescribed by anything in this Bill?

Dr HAMES: That is correct.

Mr Riebeling: What are they prescribed by - the Public Sector Management Act?

Dr HAMES: I understand that is included in other Acts such as the Public Sector Management Act.

The difficulty with transparency is how far one goes to protect people's privacy. Where the board recommends that I, as the Minister, grant a loan at a lower interest rate because of particular financial circumstances, that decision will be made at the time. As the member said, those cases will be the exception not the rule. On the one hand, it is not practical to be required to explain publicly the reason for granting the lower interest rates on each occasion. On the other hand, the process must be transparent.

The member should keep in mind that these decisions will be reviewed by the Auditor General; they will be reviewed by a body independent of Government, and that provides security. That is what freedom of information legislation is there to do; that is, to provide a person to whom people can go to decide whether something is sufficiently sensitive to be kept private or whether it can be disclosed to the public.

Mr Riebeling: If I make an application to your department and you decide it is information that should not be released, I must go through a long process. In commercial transactions that is often the case.

Dr HAMES: That is true. I am sure the member appreciates that an arbitrator decides. If I have been sneaky and provided a low interest loan to a member of the local branch of the Liberal Party, at the end of the day there will be an accounting.

Mr Riebeling: The more secretive the process the bigger the rod for the Minister's back.

Dr HAMES: I understand that, but there is no way out of it in this circumstance.

Clause put and passed.

Clause 10: Objective of the Authority -

Mr RIEBELING: Members of the Opposition were directed to this clause in response to questions about the constraints on the issuing of finance. The clause covers three lines. The rigorous processes the applicant must go through to obtain approval are designed to show that housing finance options are "otherwise limited". Those two words are somewhat deceptive. According to the department, those words mean that there is no option other than obtaining finance through this scheme. Those words do not mean that; the word "limited" suggests that there are options.

How can that be the case? My understanding of what the Minister is saying is that this is a guarantee of finance of last resort; people will apply when there is no other hope of obtaining finance. These words suggest that there are options, albeit limited, yet finance will flow. Has the correct terminology been used or am I misreading the clause?

Dr HAMES: The point about it previously being last resort finance is true. Under the previous Act, farmers had to prove that they had been everywhere else and were unable to get a loan. Often that subjected them to unnecessary difficulty because no-one else would lend them money and they had to go through the process of proving that. The Government drafted the clause in this way to stop those people being required to do that and to give more flexibility to the department; for example, an applicant might be able to obtain a loan in the members' electorates, but at 15 or 18 per cent as opposed to 6.95 per cent, which makes it an unviable option. A local town might be able to get lower interest rates elsewhere.

Mr Riebeling: If they can get finance then it becomes a commercial decision.

Dr HAMES: It depends on whether the loan is for a farmer wanting to build a house or a local government authority wanting to build GEHA accommodation. The local government might be able to get a loan at varying interest rates. However, the Government no longer wants to be a financier of last resort. It is looking more at the social circumstances of the need for the loan. That is what the legislation is designed to do: To allow the Government to work out the social circumstances, assess them and decide whether it is in the best interests of the local community to be provided with that loan.

Mr RIEBELING: I thank the Minister for that explanation. I am somewhat more convinced that I am right. If the Government does not wish to be seen as the financier of last resort, why is this included? Why not simply say that the Government will provide a guaranteed finance package for farmers? If a farmer has a choice of obtaining a loan from a bank at 18 per cent and a loan from the Government at 6.95 per cent, he will get it from the Government for purely economic reasons.

I understand that we do not want farmers to be required to go to every institution possible to prove that no-one will provide finance. However, I thought they would be required to go to at least one institution in the marketplace to establish that their project is not viable. The current new housing interest rate is 6.95 per cent, or even 5.99 per cent fixed for 12 months rising to 6.95 per cent. Therefore, the Government is offering a marketplace loan but suggesting that such a loan be considered only when opportunities are otherwise limited. Otherwise limited to what? It gives a false impression.

Dr HAMES: I cannot agree with the member for Burrup. It does not give a false impression. In fact, it provides answers to many of the questions that were raised earlier like what happens when a wealthy person seeks a loan. We do not want to be just another lender. We want to be there for people who otherwise cannot get loans. That is why we say that housing finance options for people seeking loans are limited. If we think an opportunity exists for a person to obtain a loan elsewhere, that person will be sent off to see such and such. The authority will have knowledge on alternative sources of funding. It will have limited funds and they will not be available to all people. If we can find other options for people we will send them there. The authority will want to retain its money as best it possibly can so it can lend to people who cannot get it anywhere else. They should not need to prove they cannot get it anywhere else; we should know that they cannot get it anywhere else.

Mr RIEBELING: I appreciate the Minister's point. However, he also said that finance will be available to local government. This clause does not describe local government in any way, shape or form. If the Minister's interpretation of the objective of the authority is correct, only individuals who cannot access finance in any other way are eligible, and not local government. The Minister referred to loans to local government in his second reading speech. The Government seems to think that local government will take on the functions and responsibilities that it pulls out of. The Minister indicated that local government is not doing much; the Government is providing the finance and it is just borrowing the money.

The Government has done everything possible to reduce debt. It has sold assets, removed public servants and sold fleets of vehicles. However, it will increase local government debt by lending money. The Government says, "That is not a problem. We'll be the bank; borrow it from us." That is not wise. If the objective of the authority is to include local government, which is the process described in the Minister's second reading speech, this definition

should be expanded. I agree with the Minister's comments about an individual borrower. However, I cannot see how clause 10 includes applications by companies and local government authorities to access finance. They do not fall within this clause.

Clause put and passed.

Clause 11: Functions and powers of the Authority -

Mr MARLBOROUGH: Would the Minister advise whether subclause 3(a) is meant to cover all circumstances? If the authority needs to take possession of assets over which it is owed money, does this definition include disposing of or developing assets it currently holds? What assets are left in the body and what assets will it dispose of upon the amalgamation of these two bodies? The Industrial and Commercial Employees Housing Authority in Karratha owns a number of houses. If the Minister's intention is to dispose of those houses, what is the time frame involved and is there other housing stock? How will the Minister handle the repossession of assets as a result of nonpayment of loans? I am concerned that subclause 3(c) provides for the authority to enter into arrangements with not only a bank or building society but also any "other person whose ordinary business includes the provision of finance". All sorts of people may include as their business the "provision of finance". I am not sure they would necessarily be the sort of people the authority should deal with. Why is there a need to go outside the safer bet of banks and home building societies and include a catch of people who lend money? We should restrict the quality of the lender that the authority will use and a bank and home building society would fit that definition. I hope the Minister can allay my concerns.

Mr RIEBELING: Subclause 3(e) says that the authority may for the purpose of performing its functions accept any gift. Why would someone give the authority a gift, and if it accepted a gift I wonder what it would do with it?

Dr HAMES: Subclause 3(e) relates to ICEHA and provides for the sale and management of ICEHA's current assets as part of that amalgamation. As at 30 June 1997, ICEHA had 70 properties, 20 to 30 of which have been sold since and a number are in the process of being sold. It is expected those properties will be disposed of by the end of this financial year.

Mr Marlborough: Are they being sold by public tender?

Dr HAMES: Public auction or tender.

Mr Riebeling: How many properties were there when ICEHA started selling properties?

Progress

Progress reported.

PRIVATE MEMBERS' BUSINESS

Sessional Orders Suspension

MR COWAN (Merredin - Deputy Premier) [4.30 pm]: I move, without notice -

That so much of the sessional order relating to precedence of government business be suspended as is necessary for private members' business notice of motion No 11 to be moved and dealt with after 10.00 pm today.

I move this motion on the understanding that, even though it is a private member's matter, it is not the wish of the Government to intrude overmuch into the time that is made available for private members' business which is usually given over to the Opposition. This motion is from a member of those parties supporting the Government, it is a private member's matter; nevertheless, we decided that it is appropriate to take it up in time normally allotted to the Government so that the Opposition can retain its proportion of private members' time this evening.

Question put and passed with an absolute majority.

GRIEVANCE - WATER RESOURCES

Jane Brook Catchment Area

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [4.33 pm]: I grieve to the Minister for Water Resources on behalf of some constituents living in Hovea, and also for hills residents generally. These particular constituents have a property in Hovea, with Jane Brook running through it, and have been there for a number of years. They are very concerned about maintaining the quality of the water in Jane Brook because it is a catchment for the Perth metropolitan area. They are concerned that due to circumstances connected with the Mundaring waste water

plant the water of Jane Brook could be affected; therefore, there would be less aquatic life and the algal bloom could increase. They are also very concerned that the Mundaring waste water treatment plant has not been functioning as planned. A discharge of waste water is occurring directly into the Jane Brook catchment area.

These constituents and many other people contacted the Water Corporation, which assured them that the discharged water that has run into Jane Brook is cleaner than normal run-off waters in the brook. The Minister may remember that on 9 September I asked him a question about this matter. He responded along the lines that the water that has gone into Jane Brook is better than the water that is already there. I have advised my constituents of the Minister's response, but they continue to be very concerned that the waste water discharge is still occurring in the Jane Brook area. They have also read Water Corporation publications which state categorically that waste water from land locked treatment plants should not be discharged into ephemeral streams because of the possible risk to the ecosystem. I understand the concerns of my constituents. I, too, am quite concerned that if the Mundaring waste water treatment plant has not been working correctly, something should be done about it immediately.

On behalf of my constituents, I ask whether coliform pathogen and nutrient levels being discharged from this waste water plant into the Jane Brook catchment area are above public health standards. If so, what, if anything, is being done to control the nutrient levels, and what can be done to control them? If no steps are taken and the discharge of waste water continues, will the Jane Brook catchment area be compromised as a public water catchment area? These are very real concerns from people in the area. If those concerns are justified, I seek an assurance from the Minister that something can be done about them. If there are to be continual problems emanating from the Mundaring waste water plant, will the Water Corporation adopt some changes? Perhaps we could have alternative treatment units in the hills area in preference to waste water treatment plants in all future developments.

As the Minister for Water Resources might be aware - the Minister for Planning is very aware of this - a significant number of plans are on the drawing board, which were put in by the shire to the Minister for Planning relating to further development in the hills, using waste water treatment plants. My constituents suggest that planners could assist by ensuring that the minimum block size around watercourses on which aerobic treatment units are placed be a maximum of 4 000 square metres, rather than having smaller blocks. In that way the quality of the water and bush in the area would be preserved.

My constituents and I are very concerned to ensure that the hills area watercourses and water catchment areas do not deteriorate and become degraded, not only for the health of the catchment, but also because Jane Brook and many of other catchment areas around Mundaring are supplying water to the Perth coastal plain. I seek the Minister's assurance that the waste water treatment at Mundaring and any new plants that are planned will be run in ecologically sustainable ways and will not be allowed to degrade the hills' water supply and, thus, the water catchment areas for Perth.

DR HAMES (Yokine - Minister for Water Resources) [4.38 pm]: I thank the member for bringing this grievance to the House. I am able to confirm two things. One is that the pollution risk of development in the hills, using the septic tank system, is far higher than it is for the system that has just been installed. There has been significant danger to underground water, in particular, and the low absorption of the soil in that area has constrained development in the hills. To some extent that has been of benefit to those who have chosen to live in the hills.

I believe it is likely that those who are unhappy about what is happening and who are raising these complaints are the same people as those who do not want to see further development in the hills. That may be contributing towards their consternation on this issue. I can understand that, but it is a separate issue. Whether further development should, or should not, occur in the hills or whether 2 000 sq m or 4 000 sq m should be the size of available blocks for that development are all planning matters and must be resolved with the Minister for Planning. As it relates to the development of the sewerage system, there has been some consideration of alternative treatment units in the hills region. They are a good system, provided they are managed well. Unfortunately, they are not always managed well, and in some circumstances they can pose more of a risk than in other circumstances.

I was pleased to perform the opening ceremony for this plant in Mundaring, which is very impressive and uses the latest treatment technology. The sewage is treated in two stages and then goes into a wet area at the end that has reeds and garden beds. It is an excellent system for removing nutrients from the water.

The response that I received from the Water Corporation states that tests have shown that the effluent does not pose a danger to health, and that bacteriological analyses by the Health Department of Western Australia show that thermo tolerant coliforms - that is normally e coli - average less than 5 per 100 ml, whereas for direct contact recreation - that is, the water that is normally used to water football ovals and so on - they must be fewer than 150 per 100 ml. Therefore, one can water a football oval with water that is 30 times more contaminated than this and still be safe. It states also that for re-use with uncontrolled access - that is, access by any person - the level has to be less than 10 per 100 ml. This water is 5 per 100 ml.

It is true that there has been some overflow into Jane Brook. That situation was not planned but was due to the heavy winter rains that occurred in the hills and the problem with the soils in that area not absorbing water. The comment was made that the water that was overflowing from this treatment plant was cleaner than the water that is already in Jane Brook. I admit that when I first read that, I was a bit concerned, and I asked the Water and Rivers Commission to see why the water in Jane Brook was not as clean as the water that was coming out of the waste water treatment plant, just to make sure that there is no problem with Jane Brook. I understand that there is no problem; it is just that the level of contamination in this water is so low that it is cleaner than the water in Jane Brook.

The response from the Water Corporation is that it will publish in the *Hills Gazette* an average of all results to date, which was one of the requests, and that it will talk further about whether Jane Brook will be declared a water catchment area. However, that decision is a long way down the track.

I thank the member for Swan Hills for bringing this matter to the House. It is important to ensure that water in the hills is kept as clean as possible. This new technology is excellent, and unfortunately for those people who are complaining, it provides a method by which we can safely expand residential development in the hills. I am sure that is not what those people want to hear, but that is the case. The decision about whether further development should occur in the hills will need to be made not on the waste water treatment issue but on the aesthetics of the area, the degree of lobbying by the member of the Minister for Planning, and the degree of lobbying by those persons who are opposed to further development, remembering always that some people who live in the city are very keen to get land in the hills. My brother is about to purchase a property not far from this area, and he wants a bit more than 2 000 square metres because he prefers to have a larger area, so he may be a good person to get on side when he moves there.

GRIEVANCE - FERAL GOATS

MR BLOFFWITCH (Geraldton) [4.45 pm]: My grievance to the Minister for Agriculture is about feral goats, and I thank the Minister for giving me the opportunity to grieve on this subject. Feral goats are regarded as a pest in Western Australia. However, I was fortunate to visit an abattoir in Carnarvon as a member of the rural committee, along with you, Mr Acting Speaker (Mr Sweetman), and other members, where I was told that there was a lucrative export market for processed feral goats. I said to a person at that abattoir that he should have no problem in filling his orders because I have been told that there are hundreds of thousands of goats in Western Australia, particularly in pastoral areas, but he said that the problem is that they cannot get enough goats.

I was surprised to learn that 111 000 goats went through the abattoirs and that 28 000 goats were exported live, many of them through the Port of Geraldton. I was told also that 23 000 feral goats were shot by the Agriculture Protection Board from a helicopter. The complaint that I received was that the APB was shooting too many goats and it was shooting them in areas where it would be very easy to draw them to water and cart them away. However, they made the point also that in places such as mountains and canyons they did need to be eradicated.

My next whinge is about a resident of Geraldton, Mr Colin Reynolds, who shoots goats for pet food. Up until the new gun legislation was passed, he used what he called a rim .22 action gun, which had a magazine of 10 and was semiautomatic. He has now been told that what was a C classification has become a D classification and that he has Buckley's chance of getting a licence for his gun. A member of the APB who is shooting goats from a helicopter can use an AK 47, or anything else, yet this man who is trying to earn a living from exporting and from providing the local market is told that he cannot have the gun that he has been using for the past five years to shoot these feral goats.

When I took up this matter with the Minister for Police, he said that when it comes to a D classification, no-one can do anything. I said that I did not think that was right; the Minister has the power to grant an exemption, and he should grant an exemption in this case. The Minister's response was that he did not think this man was worthy of being given an exemption. Who could be more worthy than a man who is earning a living? This fellow has even agreed that because there is so much concern about his gun, he will leave it at the Murchison Police Station, pick it up when he goes to do his shooting, and drop it back to the police station when he has finished. When I told this fellow that he was allowed to have a C classification gun, he said that a C classification was only a .22 calibre rifle with a 10 bullet magazine and that the bullets would bounce off the goat and not stop them effectively, so he would be wasting his time.

I am asking the Minister for Agriculture for help on two fronts: To lobby the Minister for Police so that this fellow can get a licence for the gun that he has been using for the past three or four years in providing the industry with pet food, and to give some thought to how we can encourage pastoralists to trap more goats. I am led to believe that it is about 50:50 - 50 per cent of the pastoralists earn a damn good living out of processing and selling goats, and the other 50 per cent think that goats are an absolute pest and that anyone who traps them and sends them away is a scourge to the industry and should not be part of it. Many station owners are earning more than \$100 000 a year from trapping goats and sending them to abattoirs. This is a message that Agriculture Western Australia should send to

all pastoralists or anyone who has access to feral goats. Let us exploit them; let us build up an export market. I am told that those people can sell as many goat carcasses as they can get, and that depending on the time of the year the price received ranges between \$16 and \$30 each carcase.

It is a good source of revenue, therefore I ask the Minister to consider how this process can be undertaken more effectively. I also urge the Minister to take up the case of Mr Reynolds and his gun licence. I do not believe that the intention of uniform gun laws was to prevent people from earning a legitimate living from the pet food industry, or to prevent people from carrying on such a business. I urge the Minister to give his support to the two cases I have highlighted in this grievance.

MR HOUSE (Stirling - Minister for Primary Industry) [4.51 pm]: In the pastoral region goats are vermin. They have been declared vermin for some time, and that classification has the support of the majority of pastoralists. Goats are designated vermin because they have done enormous damage in many pastoral areas, far more than any other animal in the region. That has been the case for a number of reasons, and most people with a background in pastoral areas would understand those reasons.

When we first came to government, pastoralists approached us to set up a goat eradication plan. As Minister, I agreed with the introduction of the plan, and we have allocated about \$1m of taxpayers' funds each year to assist pastoralists in the eradication of goats from their areas. I wholeheartedly support that scheme, and it receives the support of the vast majority of pastoralists. A couple of years ago I appointed a group to examine the processes and procedures and to indicate how the eradication program was working. The group reaffirmed that we were on the right track. It offered its continued support for the program which allowed pastoralists to round up the easily accessible goats, truck them to abattoirs and receive a payment for them. A follow-up program administered by the Agriculture Protection Board attempts to eradicate small numbers of goats from areas that are difficult to access.

The price received for a goat carcase fluctuates wildly. At the moment it is about \$23 to \$25 a head, but for the past two or three years it has been around \$6 to \$8 a head. Currently, very good money can be made by rounding up feral goats and selling them, but that has not always been the case. Last week I met with pastoralists at Leonora who raised this issue with me. Approximately 35 pastoralists attended the meeting and each supported the current program. They went so far as to make me reaffirm the Government's position because they thought we might not continue with the plan. I told them that we would continue to eradicate goats from pastoral areas. The pastoralists were adamant that every goat should be replaced with a sheep. In other words, the productivity of the country should not be reduced. Therefore, if the member for Geraldton is concerned about the abattoir, I can assure him that the goats being killed will be replaced by sheep. That is the current information from pastoralists.

In addition, we have told pastoralists who want to run goats on their properties, that the process will be permitted. We also have a program to help them increase their productivity. I have just supported some people who went to South Africa to look at Boer goats, and to find out how the industry is run in pastoral areas in that country. It is run under strict conditions. The goats must be run behind wire. In other words, they must be properly controlled behind a decent fence to stop them from invading other pastoral areas. If pastoralists want to enter that industry they can, but the goats must be strictly controlled. Some pastoralists have different views about that, because they are concerned about security of the fenced areas. However, pastoralists should have that option, and under our program it is available.

It is the responsibility of owners and lessees in pastoral areas to eradicate vermin from their properties. With the full support of the Pastoralists and Graziers Association and the WA Farmers Federation, the Government has provided a substantial amount of money to assist in the eradication of goats in pastoral areas, where an enormous amount of damage has been done. We will continue that program until the plan is completed.

In regard to the gun legislation, I have some real sympathy with that position. I have sympathy for not only the individual who has lobbied the member for Geraldton but also other people in the pastoral areas when firearms used in the eradication of goats and other vermin have been removed from their possession. Under recently passed legislation exemptions can be made for people in certain circumstances. That exemption was hard won by police Ministers, especially the Western Australian Minister for Police, at the ministerial conference on that topic. Such an exemption should be granted, particularly in the case outlined by the member for Geraldton. I support his position in that regard.

GRIEVANCE - RAILWAYS

Midland Workshops and the Australian Railway Historical Society

MR BROWN (Bassendean) [4.58 pm]: I direct my grievance to the Premier. Members of the Australian Railway Historical Society have raised some concerns about the future use of the Midland railway workshops. They have also raised concerns about the running of heritage trains on Westrail lines. I will deal with the second matter first, because

I can do so briefly. This matter falls within the portfolio of the Minister for Transport but because the Premier, through the Property Office, is in charge of the Midland railway workshops, I take this opportunity to raise the two matters together.

Westrail has insisted that in order for the Australian Railway Historical Society to operate it must provide Westrail with insurance coverage of \$100m. I understand that heritage railways in other States are required to provide their rail authorities with insurance coverage of \$10m with the other authorities being prepared to make up any difference should the need arise. The difference in insurance premiums between coverage of \$10m and \$100m are such that it makes the cost prohibitive for at least one of the heritage railways to operate its trains. Why is it that Western Australia insists on such a high level of coverage when compared to what is insisted on by the other State Governments for their heritage railway operations?

The second matter relates to the future use of the Midland railway workshops. The historical society would like to use part of the workshops for restoration and maintenance purposes. Indeed, it has been indicated in the past that access to the workshops will be provided to the society.

I now remind the House of previous comments on this matter. A statement was issued by the former Minister for Planning, and Heritage on 23 August 1994 in a formal media statement, which read -

The Government also supports the concept of having the Railway Historical Society with the heritage precinct.

That was dealing with the Midland Workshops. In addition, the local *Hills Gazette* of 27 October 1996, on page 3, under the heading of "\$30m plan for rail workshops", states -

The former Midland Railway Workshops will become home to a number of groups under a "master plan" from the State Government.

The article went on to refer to what was happening with the plan released by the Premier prior to that publication. It continued -

Workshop blocks have been made available to the Machinery Preservation Society and the Australian Railway Historical Society and leased . . .

The indication was that part of the workshops would be made available for that purpose. A further article, the date of which is not clear, states that "the Premier has hinted that the Bassendean Railway Museum may be housed in the historic railway buildings after Westrail closes its local operation on March 4". Indeed, a clear indication was given to the historical society that it would be permitted to use part of the former Midland railway workshops. The plans of the area indicate the heritage value of the workshops.

Members of the society wish to use the workshop for restoration and maintenance purposes. They currently carry out these operations at the Bassendean Railway Museum, which is not suitable for that purpose. Although they wish to retain the Bassendean museum facility, it does not provide the same workshop facilities as those available at Midland. Therefore, members of the society have asked me whether the Government intends to honour the commitments given previously.

Some people have put to me that the Midland railway workshops, or at least part of them, have not been made available for this purpose as a means of putting pressure on the society to move some of its operation to Pinjarra. The pressure has been applied, as I understand it, to expand the railway museum as part of the Pinjarra Rail Heritage Precinct. The argument has been for part of the museum in Bassendean to be relocated to Pinjarra.

The people who work on heritage trains and carriages are volunteers, many of whom are former railway people who live, as they worked, in Bassendean and its surrounds. They have a great interest in the history and preservation of rail, but they will not drive to Pinjarra to maintain that interest. They wish the society to have access to the Midland railway workshops. These people believe the Government gave the green light to that proposition, and they fathom the only reason the site is not made available for restoration and maintenance purposes is to put pressure on the society to move part of its operation to Pinjarra. Clearly, that is not acceptable to a number of members of that society.

I raise the grievance today in the hope of getting two undertakings from the Premier: First, that part of the Midland railway workshops will be made available to the society as originally promised; and, second, that the Government will treat the historical railway societies, in the insurance they are required to maintain, the same as such bodies are treated in other States of Australia.

MR COURT (Nedlands - Premier) [5.05 pm]: I thank the member for his grievance. The Government Property

Office is involved with the Midland Workshops because, basically, there are a number of surplus properties which agencies no longer require; the workshops is one which the Department of Transport no longer requires, and Heathcote, Sunset and Swanbourne Hospitals are other examples. We have a small Cabinet subcommittee which looks at how we can handle the future use of those sites. The committee is currently, and has been for some time, working on the Midland site, among others.

I thought we had been nothing but cooperative with that historical society on that site. The Government said that it wanted it to use some of the facility, and I understand that some of its rolling stock is stored in one of the sheds. I need to have that clarified.

Mrs van de Klashorst: That is right.

Mr COURT: At present, the chief mechanical engineer's building is being used by the Swan Tertiary Centre, which comprises Edith Cowan University and Midland TAFE. The Machinery Preservation Society has taken over the central core of the heritage area and is doing maintenance work on the plant and equipment left there. The Railway Historical Society is using one of the large sheds for the storage of its rolling stock, and it has always been our intention to enable the historical society to maintain a presence on the site.

Similarly, we have been cooperative with the Bassendean facility. Westrail is in the process of donating three kilometres of railway line to help the society to increase the storage of its exhibits at the Bassendean facility. We are trying to be as helpful as we can to both the Bassendean operation and the facility at Midland.

Mr Brown: Will they have access to the workshop to work in it?

Mr COURT: One of the sheds we are talking about is a workshop.

Mr Brown: Can they work in it, or is it just for storage?

Mr COURT: It was always intended that a long term arrangement would be made. I need to be refreshed on the matter. However, a private sector operation wanted to rebuild some locomotives from the north and it asked to lease the site. I do not know whether that went ahead. It appeared to fit in well as a short term arrangement. We thought it would help the historical society having that presence on the site. Any preliminary planning has had to allow for rail access in and out of one of the sheds so that rolling stock can be moved.

I now make some general comments about what has happened with the site. There has been some talk that this facility should remain in public hands. As a heritage site, any development which takes place must take account of its heritage value, which is very much connected with the railways. I am a bit of a train buff as my grandparents lived by the railway line at Chidlow. Therefore, I spent quite some time in my childhood travelling to and fro in steam engines, and I knew a lot about trains. I was disappointed when I inspected Midland to no longer find turntables, as I remembered from my childhood at Chidlow that such aspects were an important part of the railway system.

Regarding the politics inside the historical society, I understand that discussions are taking place with the Hotham Valley group and the group at Peel. I do not want to get involved in the inner workings of the historical society -

Mr Brown: Nor do I.

Mr COURT: That is for its membership to work out. If it can run a good operation out at Pinjarra and have a good operation in Midland, well and good.

There are advantages in both of them, although Hotham Valley Tourist Railway has learnt the hard way that we have to be careful with some financial considerations. We have always said there is a place for the historical society and that we would make sure that space is available for it.

Mr Brown: Is that for restoration and maintenance purposes?

Mr COURT: There are three main sheds, are there not? We always planned that one of them would be for the society's use. The lesson we have learnt in Fremantle is that it is better to get these heritage sites across to people in the private sector. They protect the heritage and put in place a worthwhile use. We cannot tell the member what the use will be. A charette in Midland has come up with a number of different proposals. I will be briefed on the results of that shortly. We have a completely open mind about what could be done on that site. It may be a mixture of education, residential, historical and some commercial development or whatever. People say that the site is on a flight path, but in this day and age a lot of sites are on flight paths and developments are planned to take that into account.

Mr Brown: I understand that it is a huge site but I am particularly concerned about a bit of it being made available for restoration and maintenance purposes.

Mr COURT: I said at the beginning that I thought that we have been nothing but cooperative when working with those bodies. If that is not the case, I would like to know because I have a direct involvement in what has taken place.

Mr Brown: Can I tell them that as far as the Government is concerned, it will be making available to the society a proportion - not the whole thing because they are huge - of the workshops for restoration and maintenance?

Mr COURT: Yes, and display. We have always said that there is a historical role. We treat the historical society as the relevant body. It is up to the society to get its politics worked out. I am told that there is a bit of a split inside it and so we have to ensure that any deal is signed by the president so that we know we are dealing with the right group. The society has said that a \$100m public liability insurance is needed for the operations. I will follow that matter through. It said that it believes \$10m public liability insurance is unrealistic and insufficient for a railway which is carrying members of the public. I will follow that through with the Minister to see whether some assistance can be provided.

GRIEVANCE - MRS MYRA PARKER

Real Estate Complaint

MS MacTIERNAN (Armadale) [5.14 pm]: I grieve on behalf of Mrs Myra Parker who is now in her late seventies and very much the victim of a lack of action on the part of the Government in dealing with conflict of interest situations. I might say that applies not just to this current Government but also the previous Government. Mrs Myra Parker is an age pensioner. She wanted to sell her home and get a unit. She was approached by a developer called De Vera Nominees and offered a deal. On the basis of that deal she sold her home and made an offer on one of the developer's units. This happened in June 1991. The offer included a condition that there would be a \$30 000 element of vendor finance provided. Settlement was scheduled for 12 July. Mrs Parker did not hear anything from the settlement agent until 11 July when the agent rang to say that the vendor finance had come through but there would be a slight delay in settlement because of a few hiccups. On 14 July she was suddenly rung again by the agent. Interestingly, the agent acted for not only Mrs Parker but also the vendor of the unit that she was buying. The agent asked her to sign an agreement to take early possession. This agreement included a provision for the balance of the purchase price to be paid forthwith to the vendor's settlement agent, who, as I have said, was also Mrs Parker's agent. Mrs Parker thought, "Great, it is all finished" and she moved in, believing naturally the transaction was finalised. It was only some months later when an anonymous caller from the settlement agency warned her that all was not well and that she should take out a caveat that she realised that although she had handed over her money, the retirement unit had not been transferred to her name. It turned out that when Mrs Parker paid over the money to the settlement agent, the contract was not signed by the developer-vendor. In the meantime, the settlement funds from the sale of her house had, against her express authorisation, been paid into the Permanent Building Society. She had specified that the money go into the Commonwealth Bank. The Permanent Building Society then went broke and Mrs Parker was left as an unsecured creditor. It gets worse, because the developer also went into liquidation. The property Mrs Parker thought she had bought was foreclosed on by the developer's mortgagee. Because her money had disappeared with the collapse of the building society, she was unable to discharge the mortgage. Effectively she lost any right to her home.

After four years of enormous anxiety and struggle and as an elderly person squatting on a property she should have had as her own, Mrs Parker finally obtained the title to her home. That was only because of a compromise by innocent partners. Esanda, the mortgagee, had accepted a lower sum to discharge its mortgage and Homeswest kicked in to provide a loan to Mrs Parker to cover the shortfall in her funds. However, it was nevertheless a mortgage, and so at the age of 74 Mrs Parker had to go back to work to pay that mortgage off and the culprits who caused this agony with their unethical dealings have gone unpunished. This is due to inaction by the Ministry of Fair Trading and the supervisory boards.

Members may well ask how could such a mess arise given our regulation of the real estate and conveyancing industries. Quite simply, the developers of the retirement villas, the real estate agency brokering the deal, the settlement agency which acted for all parties, and the failed financial institution were all related or associated companies. Most of them had common directors and stakeholders. That is not all; it appears there was a substantial link between the developers of the retirement units and the real estate company. Effectively, Mrs Parker was comprehensively stitched up. There was not one party she could rely on: No-one in the transaction was acting to protect her interests. Mrs Parker was the victim of not only unethical practices of those individuals but also of a system which allows such a web of conflict of interest to exist. Interestingly, after this Brian Newman, one of the directors of Strand Settlements, and a stakeholder in Roy Weston Real Estate - the culprit agencies in this sordid saga - sat on Minister Foss's working group into conflicts of interests, which concluded - surprise, surprise - that there is no need for any change in legislation to prevent conflicts of interest such as this arising.

In March 1995, some two and a half years ago, Mrs Parker made a complaint concerning the conduct of the real estate

agent and the settlement agent to the real estate industry business unit in the Ministry of Fair Trading. The various boards have still not taken any action against the agents involved, even though legal advice has been obtained from the Law Society of Western Australia that there is ample evidence that the agents concerned breached the law. The Ministry has procrastinated disgracefully, advising Mrs Parker at times that the case is closed and then taking a little bit of action when there is a whiff of publicity. It is now two and a half years since the complaint was made and there has been no prosecution. The continuing lie has been that there is no need to deal with this problem of conflicts. This Government is once again showing it is the lap dog of the large players in the real estate industry.

MR SHAVE (Alfred Cove - Minister for Fair Trading) [5.20 pm]: After that stirring speech by the member for Armadale I certainly need to respond on behalf of the Government. It is important to understand the progress that has occurred. This problem occurred in 1991 and the only complaint that was lodged with the Ministry of Fair Trading was in March 1995.

Ms MacTiernan: You have been listening to my speech.

Mr SHAVE: I have that information in my notes. Before my colleague on the other side of the House assisted me with my delivery, I was about to say that it was rather unfair of her to be critical of her predecessors in the Labor Government for not taking action.

Ms MacTiernan: Not in this case.

Mr SHAVE: The member said that this Government had not acted and if she reads *Hansard* she will find she said the previous Government did not act.

Ms MacTiernan: I did say that, but I was not referring to this particular case, but to the broader issues.

Mr SHAVE: I thought the member was talking about this case. Notwithstanding that, one of the problems is that between 1991 and 1995 there was a delay in the complaint being lodged.

In the first investigation that took place, the investigator had difficulty in substantiating evidence to support Mrs Parker's allegations. General discussions with Mrs Parker and her solicitors did not convince the investigating officer that she had a strong case against the settlement agent or the real estate agent and it was decided to close the case.

Ms MacTiernan: When was that?

Mr SHAVE: Following the lodging of her complaint in March 1995.

Ms MacTiernan: When was the decision made?

Mr SHAVE: It was some time between then and towards the end of 1995, and I will explain that to the member.

Following representations from members of the conflict of interest working group, Mrs Parker's case was subsequently reinvestigated in 1995-96. I assume that towards the end of 1995-96 a second investigation took place. The second investigator visited the settlement agent, examined the files and spoke to the real estate sales representative. The second investigation also failed to find evidence to support an inquiry before the Real Estate and Business Agents Supervisory Board or the Settlement Agents Supervisory Board. It was noted that Mrs Parker's contract was eventually settled, even though there was a substantial delay due to the liquidation of the companies with which she had contracted.

Two investigations have been conducted and we assume that the first investigator looked at it in a fair and proper manner and, if he did not, we hope that the second investigator did.

Ms MacTiernan: Why did it need a second investigation? Was it thought that the first investigation was not thorough?

Mr SHAVE: The implication was not that the first investigation was not thorough.

Ms MacTiernan: How did it come about?

Mr SHAVE: Because the conflict of interest working group set up by the then Minister received a number of representations. Obviously the Minister said, "We have had an investigation and a report, but I will conduct another investigation because that is what the group is asking for." Representations were made and the Minister called for another investigation and the second investigator came up with a similar position.

Notwithstanding all of that, Mrs Parker's case was again raised by the independent settlement agents at a meeting with me on 19 February 1997. I was provided with a briefing on the background to the case and the fact that two investigations had failed to provide a prima facie case against either the estate agent or the settlement agent.

At a further meeting with representatives from the independent settlement agents on 5 May 1997 ministry staff agreed to visit Mrs Parker and explain to her that the case would be reinvestigated only if there was a strong likelihood of obtaining a prosecution.

A number of meetings took place and it was agreed that further legal advice would be sought on whether a prosecution could take place. It was agreed that a legal opinion would be sought to canvass whether there were grounds for a claim against one of the fidelity funds. At the meeting with Mrs Parker and Mrs Brailey, who at that stage was intervening to assist Mrs Parker, some of the positive changes in compliance activity by the board and the ministry were explained. In early August 1997 I responded to Mrs Parker's letter and I gave advice that the ministry was waiting on that legal opinion.

The current situation is that, as agreed, the Parker matter has been referred for legal advice and extensive examination of all the issues has been undertaken. The legal officer's final report is being drafted and it should be completed within a week. As soon as that report is finalised, Mrs Parker will be advised of the outcome of the review.

Ms MacTiernan: Can you tell us from whom the legal advice is coming?

Mr SHAVE: No I cannot, but I will obtain that information for the member.

We have had a number of investigations into this case and have looked at every area -

Ms MacTiernan: We have set out the facts.

Mr SHAVE: The member has set out her facts and on the basis of her argument she is saying that the ministry and the Government have not looked at this issue properly nor taken any action. I advise that there have been two investigations and the ministry is obtaining further legal advice. All the advice from the investigations to date is that there is not a satisfactory case to allow this lady some alternate form of compensation.

The ACTING SPEAKER (Mr Ainsworth): If the Minister needs to give a further explanation he must do it privately because his time has expired.

Mr SHAVE: I cannot wave a magic wand, but I advise that at all times the Government has tried to assist this person.

The ACTING SPEAKER: Grievances noted.

MOTION - WORKSAFE WESTERN AUSTRALIA

Ethical Standards

MR KOBELKE (Nollamara) [5.28 pm]: I move -

That the responsibility to -

- (a) practise universal fairness, and protect people's rights to due process, equal opportunity and equitable outcomes; and
- (b) develop and maintain an environment that is free of fear or favour and is open, accountable and impartial,

is not being upheld by officers responsible to the Minister for Labour Relations which requires the Premier as Minister for Public Sector Management to act to establish ethical and managerial standards in WorkSafe Western Australia in order to re-establish public confidence in this important government agency.

Anyone who is in touch with the industry in this State would be aware of the very grave disquiet in the community about the functioning of WorkSafe Western Australia.

I have had many complaints about the failure of WorkSafe to deliver the administration and support it should to working men and women who feel they are in unsafe workplaces or who have been injured at work, and who seek action to ensure there are no further accidents or mishaps in their workplace. The response from WorkSafe in many cases is not adequate. That is due to the lack of leadership by the Minister for Labour Relations, and it appears to extend to the Premier, in ensuring there is proper administration of WorkSafe Western Australia.

I make it absolutely clear that there are many dedicated and professional public servants working in WorkSafe Western Australia, and they are trying to the best of their ability to uphold the legislative requirements of WorkSafe WA and to offer a service to working men and women. However, because the leadership is not dedicated to upholding the principles and the letter of the legislation, they find it difficult to fully and properly do their jobs.

I know some members on the government side of the House have a bad taste in their mouths about one or two

incidents involving WorkSafe. They will be aware of instances in their electorates about which there is some reason to question the way WorkSafe functions. I will give one example involving the accident at Gracetown, which was an unbelievable tragedy. I cannot understand how WorkSafe could try to take legal action against teachers in the Education Department as a result of that accident. It was a real tragedy, from which people must learn. WorkSafe had a heavy-handed approach which added to the trauma those people were going through. Fortunately, WorkSafe backed off from that action. That is one of the reasons we must ensure that WorkSafe is re-established as an agency in which the public can have confidence.

Many changes have taken place in the approach to occupational safety and health in Western Australia and across Australia. Some of the changes may have led to inefficiencies and to some people feeling things were not working as well as they had in the past. That could be part of the system. However, the problems currently manifest in WorkSafe WA go well beyond that to the poor quality of leadership, both in the chief executive officer Mr Neil Bartholomaeus and the Minister for Labour Relations.

I have personal knowledge of one example. I was driving home from Parliament House four or five months ago one Thursday evening. My normal route is along Fitzgerald Street over the newly completed part of the Northbridge tunnel. I had to stop at traffic lights, and within 5 to 10 metres of my car was a mobile crane with a very long boom extension. It was lifting a pipe 20 to 30 m long which was partly fixed at the ends. The workman was under the pipe trying to prop it into stirrups, and was working under the boom of the crane. He was not wearing a hard hat. I did not have my camera with me, so I could not take a photograph. I now have it with me all the time and I have taken photographs since showing people, who are not wearing hard hats, working under cranes on construction sites. I wrote to Mr Neil Bartholomaeus pointing out what I had seen. I suggested it was necessary for action to be taken by WorkSafe to improve the safety practices on that construction site, which is the biggest in metropolitan Perth at the moment. I did not receive a reply from Mr Bartholomaeus. After many weeks I received a reply from the Minister. Obviously, he did not trust his CEO to reply to me on that simple case of clear evidence of a breach of health and safety requirements.

Mr Baker: Who was the breach by?

Mr KOBELKE: The worker and the management.

Mr Baker: Assuming the management knew what the worker was doing.

Mr KOBELKE: The management has a responsibility to ensure there are safe work practices, as does each employee.

The Minister would not allow the CEO to reply to my letter. The Minister's reply simply was an attempt to be politically smart. He suggested that if I gave the necessary evidence, the department would prosecute the worker. I wrote to the Minister saying I would provide whatever evidence was necessary, as I thought I had made clear from my first letter that I wished to help improve safety and health on that worksite and generally throughout WA. I have yet to receive a reply from the Minister.

That example of a breach may have been witnessed by thousands of people on that Thursday evening. This Government, this Minister for Labour Relations and WorkSafe WA have not replied to my second letter indicating what action will be taken. I thought sending inspectors to the site to ask employers, major contractors and employees to improve their practices would be the minimum action. If it was done, I was not notified of it. I now have photographs of other incidents which I believe are clear breaches of standard health and safety requirements on construction sites.

The 1994-95 annual report on compensable incidents across Australia is the most recent statistical report on such workplace accidents. It is distributed and advertised by WorkSafe Australia, but I cannot remember the sponsoring body. In the foreword is an indication that these figures took a long time to get together, but the system has been improved to such an extent that it is able to report on the 1994-95 statistics in 1997. The report stated there was clear evidence from the late 1980s of a real improvement in workplace practices, by the reduction in the number of accidents for which workers had sought compensation. The latest figures, although not sufficient to be conclusive, indicate there has been a falling away in safe workplace practices. Although the statistics are too small to be of significance, they indicated an increase in the number of accidents and compensation claims. That is of considerable concern. The figures relate to the whole of Australia, but in Western Australia anecdotal evidence is that the practices are likely to contribute to that.

As the motion suggests, we need to establish public confidence in WorkSafe Western Australia because if people do not have confidence in it, they will not report the problems they see. Last week the Minister espoused a cooperative approach on productivity and labour relations, and if there is no cooperative approach in this area there will be no improvement. There must be a cooperative approach based on confidence in the agency.

The first part of the motion reflects two parts of the code of ethics which has been established and sent to government agencies by the Public Sector Standards Commissioner. It is obvious that WorkSafe WA simply does not uphold the values espoused in the code of ethics I have included in this motion because it is clear that universal fairness is not practised. We see that WorkSafe WA does not treat equally everyone who approaches it. It discriminates against unions. It is supposed to protect people's rights to due process, equal opportunity and equitable outcomes. However, I will give examples in this debate where equity has not occurred and due process has not been upheld.

Under its code of ethics WorkSafe WA is also required to develop and maintain an environment that is free of fear or favour and is open, accountable and impartial. Clearly WorkSafe WA is biased and far from impartial and has done nothing but create fear in the workplace rather than create an environment that is free of fear or favour. Its actions have compounded workers' natural instincts to be fearful of what their employer might do should they make a report to WorkSafe or some other government agency.

We are seeing a heightening of unfairness towards workers who wish to complain about their working conditions. We are allowing - some might even say encouraging - a minority of employers to abuse their work force; to treat them simply as tools of production, regardless of the injury they might suffer or the fact that some of their lives will be put in jeopardy and possibly lost. Unfortunately a small number of employers will not hesitate to treat their workers as inhuman objects. They can do with them what they wish and take no account of their personal health or safety. That is a denial of human rights which this Government is allowing to occur right under its nose. It is a denial of due process which this Government is not only allowing but also encouraging by failing to insist that Mr Neil Bartholomaeus and other officers follow due process. It is heightening the inequity which already exists in the workplace.

We must realise that if workers do not have the power to uphold their rights, they do not have rights. In the workplace they are dealing with unequal amounts of power. An ordinary worker does not in any sense have power comparable with his or her employer.

Mr Trenorden: Or a union?

Mr KOBELKE: I will come to that. We are talking about a State in which 30 per cent of the work force is unionised.

Mr Kierath: It is 25 per cent.

Mr KOBELKE: Therefore the vast majority of workers have nothing to do with unions. The industrial legislation the Minister put through means that when workers' conditions are attacked and their health and safety threatened they cannot call in the union.

Mr Trenorden: Why not?

Mr KOBELKE: The Minister put through legislation to stop the union coming into workplaces when complaints are made by non-union workers. They cannot get assistance from a union. I will give examples of people complaining to their union and the problems unions have sticking up for non-union members in unsafe work areas where no action is taken. Those employees are victims. The actions of this Government will place a further burden of unfairness on victims in the workplace. The opportunity to uphold their rights and to achieve some sort of fairness is going out the window. Workers' fear of repercussions if they speak up about their workplace standards of health and safety has increased within the work force.

Mr Trenorden: This speech is straight out of the 1950s.

Mr KOBELKE: The member for Avon might like to speak to some of the small businesses in his area. If he thinks about it - I give him credit for thinking if he wishes, rather than voicing words he believes are useful in debate - he will be told that the big problem affecting them is lack of security in the workplace. Too many workers feel their jobs are not secure so they will not commit to spending, which is required for small business to prosper.

Many small business people, who clearly are government supporters and who do not agree with many of the Opposition's policies and who in the main might not agree with what I am saying, ask us to improve worker security because it will build confidence in the community to spend. Small business is suffering as a result of that lack of confidence. That lack of confidence has arisen because this Government has made it easier to sack workers and deliver retribution on workers who speak up for their rights. The Government has made it easy for workers to suffer injury and death and not have the chance to gain proper and full compensation. That is what people understand in the work force and it is what small business is coming to understand. This Government and WorkSafe provide a biased administration that sees unions as the enemy. As a result, putting down the unions is a game of war because they are the ideological enemy. Their aim is not to address what is required under the legislation to try to uphold WorkSafe's legislation and the aims under the Act; it is simply about ideology.

If any form of equitable outcome is to be achieved between employees and employers, employees must have the power to organise effectively to uphold their rights. The majority of employers do not have a problem with that. They are fair employers who have some standards and integrity and who understand their role in making profits and providing employment opportunities for the whole community. They see some public good in their efforts to run their business efficiently and make profits. However, the view of the world by a few employers is simply to be able to take whatever advantage they can of their employees. One of the problems in our highly competitive economy is that if we allow a small number of employers to get away with it, good employers feel strong pressure to cut corners on health and safety to reduce costs, particularly if they can avoid workers' compensation payments, the practice of which there are many examples. We must ensure we come down hard on the small number of unscrupulous employers abusing employees and putting their lives and health at risk.

This Government does not believe in that; it does not believe in allowing employees to organise so that they can uphold their rights and ensure that they work in safe workplaces. Employee representative groups are democratic organisations, whether they be called unions or associations. Clearly from time to time democratic organisations, will make mistakes. If they made half the mistakes this Government makes they would be brilliant. I am not saying there are not times when union leaders or officials could have abused their power. However, the number of times would be insignificant compared to the abuse of power by employers. I am quite happy to examine issues involving possible abuse of power and how that can be addressed. If members opposite think it is a common practice I challenge them to give me examples. I have so many examples of the abuse of the rights of workers that I could hold a different debate here every day of the week. Today I will refer to one or two examples. However, I am sure that in the opportunities available before the end of the year I will raise more examples.

I turn now to an incident that relates to Neil Bartholomaeus and that goes to both the Minister for Labour Relations and the Premier as Minister for Public Sector Management; namely, the ban Mr Bartholomaeus placed on unions arising out of demonstrations over the Government's industrial relations legislation. If one or more union members broke a law in their protesting at the WorkSafe office, it is the right, and even the responsibility, of Mr Bartholomaeus or other officers to take appropriate action. I understand from a press release that the police were called. If something wrong was done, the police will prosecute. To date I am not aware of any prosecutions. However, Mr Bartholomaeus, as WorkSafe Commissioner, declared that WorkSafe would not deal with unions for six months. That is an unacceptable action. Evidence provided to me indicates that that declaration has been followed through. It was not just a bluff or a bold statement that would not occur: It has been reported to me that on a number of occasions Mr Bartholomaeus has stopped officers working with unions - and he has no power or right to do that. Under section 18(1) of the Occupational Safety and Health Act the WorkSafe Commissioner has a statutory responsibility for the administration of the Act. One of the functions of WorkSafe Western Australia under section 14(1)(d) is -

... to provide advice to and co-operate with Government departments, public authorities, trade unions, employer organizations and other interested persons in relation to occupational safety and health;

A stated objective in section 5(e) of the Occupational Safety and Health Act is -

... to foster co-operation and consultation between and to provide for the participation of employers and employees and associations representing employers and employees in the formulation and implementation of safety and health standards to current levels of technical knowledge and development;

The Act that Mr Bartholomaeus is supposed to administer and adhere to has been totally flouted in the ban he has made on any contact with unions. His defence is to refer to the section under which inspectors can be called out and perhaps initiate prosecutions. There is no mention of unions in that section; however, there does not have to be. There is no exclusion of unions either. There is simply no defence for Mr Bartholomaeus to say he will not take any complaint from a union about a health and safety matter.

If, on the basis of management, a union or an individual was seen to be making complaints that were vexatious or without foundation and the union or person had done so on several occasions, one could understand that administratively those complaints might be handled in a different way; they might be left at the end of the queue. However, that is not what Mr Bartholomaeus is doing. He is not singling out one or two people who have broken into his office or who it is alleged made vexatious complaints: He is saying that all unions will not be dealt with by WorkSafe. By saying that, he is outside the obligations that are placed on him by the Act he is required to administer.

What has the Minister for Labour Relations done about this? Nothing. What has the Premier as Minister for Public Sector Management done with the Public Sector Standards Commission report that went to him? I understand he has done nothing. Mr Bartholomaeus as a senior public servant is employed by the Minister for Public Sector Management. Therefore, the Minister as the responsible officer must prepare a report for the Commissioner for Public Sector Standards. To my knowledge that report has not been acted on. It has been a long time in gestation.

We wait to see what the outcome of that report will be. The member for Armadale will speak about another report that was released last year on Mr Bartholomaeus under the Commissioner for Public Sector Standards' Act. That report has been hidden away and declined access to under freedom of information legislation. For the moment I am talking about just this incident; however, this is not the only incident.

Following that ban by Mr Bartholomaeus, a committee formed under WorkSafe WA to look at regulations had its meeting cancelled on the basis that unions were involved. A range of incidents have occurred in which Mr Bartholomaeus' directive has stopped unions from working with WorkSafe. One involved a committee that was set up to look at regulations, which simply had its meeting cancelled. That meant WorkSafe could not follow due process and make decisions on the recommendations of that committee. The due process that is supposed to be followed was simply abandoned.

An example that is outside this area is the Minister for Labour Relations' regulations on smoking in the workplace. That was done without going through due process; without going before the committee that should consider the regulations and then going to the WorkSafe Commission and back to the Minister who has the power over those regulations. Not just one incident has occurred; it has occurred time after time.

To emphasise the lack of consultation I will provide another example. Unions had worked with WorkSafe for some time over a health and safety issue at Kununurra Hospital. After this union ban the WorkSafe officer refused to work with them, in contravention of the Act. That sort of thing is taking place.

What ability do workers have to ensure they are able to work in safety in their workplace if they cannot have a union put forward their complaints? Often, but not always, unsafe workplaces occur when an unscrupulous employer abuses his or her workers. A range of issues are involved in a situation like that; for example, whether employees are getting the right pay and whether unsafe work practices exist because an employer hopes to save money. In a situation like that, often few or none of the workers are members of unions. A union now cannot go into a workplace and make representation on behalf of non-union members. Even when it does so on behalf of union members, the union finds it difficult to uphold the rights of those employees and to improve standards. An article in *The West Australian* on 11 October is an example of the difficulties facing people who are not represented by a union. The article states -

A Manjimup timber milling firm has become the first employer successfully prosecuted under laws which protect workers who cooperate with WorkSafe inspectors.

Mr Kierath: Because we made it easier to prosecute under our Act.

Mr KOBELKE: The Minister should let me continue -

Gandy Timbers was fined \$20,000 in Manjimup Magistrate's Court on Thursday for sacking driver Manfred Schlenner four days after he spoke to an inspector about problems with his truck in March 1996.

WorkSafe Commissioner Neil Bartholomaeus said yesterday it was vital to the State's occupational health and safety system that employees could speak to safety inspectors without fearing repercussions . . .

He said Gandy Timbers was found guilty of discriminating against Mr Schlenner and evidence before the court showed he was blatantly sacked for talking to the inspector.

That is the story from the Minister's office: Somehow this is a positive outcome; WorkSafe has had its first conviction - of someone who was victimised because he spoke to a WorkSafe inspector.

Mr Kierath interjected.

Mr KOBELKE: I will listen to the Minister in a moment; I want to put the case first. The Minister has a lot to answer for in respect of this.

This makes it look as though WorkSafe is doing something for a worker in an unsafe workplace. That is totally the opposite of the truth. I have since spoken to Mr Schlenner, who has been unemployed and on sickness benefits for most of the past 18 months. He was driving a truck that was clearly unsafe for Gandy Timbers. It had bald tyres, brakes that did not work properly, holes in the exhaust that affected the exhaust braking system, and a badly cracked windscreen that he could not see through when driving into the sun. By chance a WorkSafe inspector came upon him. He asked Mr Schlenner what was wrong with the truck and, recognising him as a WorkSafe inspector, Mr Schlenner told him. He did not go out of his way to make a complaint; he simply spoke to the WorkSafe inspector.

Sitting suspended from 6.02 to 7.30 pm

Mr KOBELKE: I was outlining the situation of Mr Schlenner, which was referred to in an article in *The West*

Australian of last Saturday. The article tends to suggest that WorkSafe and government practice were having some success because WorkSafe had its first prosecution against an employer who had sacked a worker because he cooperated with a WorkSafe inspector. If members look at what the article says, it shows that the worker was clearly made the victim, because he lost his job. Did WorkSafe or the Department of Productivity and Labour Relations help him take a case for unfair dismissal? No they did not. Mr Schlenner tells me he was not advised of his rights. As the events occurred 18 months ago he has no recourse under the Act to seek compensation for unlawful dismissal. Part of the last paragraph of the article reads -

Mr Schlenner, 39, of Manjimup, said yesterday the decision did not provide him with compensation or reinstatement . . .

The system simply does not work. Here was a worker who did not go out of his way to report to WorkSafe but simply, honestly and frankly answered questions put to him by a WorkSafe inspector. He became the victim of the system. We see in the words of the motion that we are not developing and maintaining an environment that is free of fear or favour. We are seeing that the whole system driven by this Minister is totally biased. It treats people for political purposes and has not established a system to improve safety in the workplace. Mr Schlenner has been unemployed or on sickness benefit and under the incredible stress of being taken through the courts so that WorkSafe may obtain its one victory of having a penalty imposed on Gandy Timbers Pty Ltd, but there has been no support for Mr Schlenner.

The real problem is that Mr Schlenner is not a one-off. Thousands and thousands of Western Australians are being victimised in unsafe work places. This Government and WorkSafe are not able adequately to represent them or uphold their rights. As regards Gandy Timbers, I rang some people in Manjimup to see whether Mr Schlenner may have been a special case. I found that two other workers in recent times had been dismissed by Gandy Timbers because they cooperated with WorkSafe. What action has been taken in support of those workers by the Minister or WorkSafe? I was on the telephone to Mr Wess Giblett who also worked at Gandy Timbers. He was not a union member. He was also approached by a WorkSafe inspector and simply answered honestly and factually some questions on work practice methods in the presence of machinery when he was felling trees for Gandy Timbers. He was dismissed for cooperating with WorkSafe. I will not go into all the details, but he tells me, and I have absolute faith that he told me the truth, that he reported to the Department of Conservation and Land Management, as the department that let the timber contracts. In his own time he came to Perth and put in a full statement to WorkSafe. He was told by WorkSafe, "It is your word against the boss's. We cannot do anything." In what way were Mr Giblett's rights upheld by WorkSafe? I have another case which I cannot go into because this other dismissed worker is taking legal action. This is one employer mentioned in an article last Saturday. I have said to the Minister that I could bring a case a week in which employers are expecting people to work in unsafe workplaces and where WorkSafe does not have the resources or is being nobbled by the current chief executive officer and the Minister from taking effective action.

This Government's whole approach is to keep unions out and to stop working with unions. That denies workers the right to work in a safe workplace for two main reasons: First, the Government does not have the resources and inspectors to cover all the workplaces where there may be a need to try to improve standards. Unions can play a very important role in ensuring that their members and other workers have safe workplaces in which to ply their trade. The Government is ensuring that many people do not have their rights upheld if it does not encourage and allow unions to do their jobs properly. Second, by refusing to work with unions the Government is trying to lock them out of the whole process. Even where they have members they find it difficult to get into workplaces. The law says that they can enter if they meet the requirements, but an employer can play a game with all of the requirements and legalities and put all sorts of obstacles in the way of the union representing members in unsafe work places. I am sure that the opportunity for debate will come up in the next week or two and I will bring more cases which show that unions have great difficulty in trying to uphold workers' rights.

The motion refers to equitable outcomes. The responsibility of the Minister is to ensure that the CEO of WorkSafe and WorkSafe itself are working to help the people of Western Australia to have some chance of gaining an equitable outcome. There is no possibility of that if we do not have unions playing an important part in the system. We can talk about what that role needs to be and how we might modify it a bit and what excesses there may be in one area or another, but the Government cannot deny the important role that unions must play in ensuring that our workplaces are safe. This is what the CEO of WorkSafe has done and to which this Minister has given his blessing. The situation is totally unable to be supported by the legislation or any rational argument about workplaces in this State, yet we find ourselves in this unfortunate situation.

I have written to the Ombudsman about the issue. Other people have written to the Commissioner for Public Sector Standards. Reports have been prepared or are being prepared in order to try to assess the degree of negligence and incompetence or dereliction of duty that has occurred within WorkSafe WA. Why have we not seen anything from

the Premier as the employer or his Minister that has set out to correct or overcome a totally unacceptable situation? The Ombudsman has indicated that he is waiting for the outcome of the report of the Public Sector Standards Commissioner. We simply must wait on that. The Ombudsman has advised me that because I am not a party to the actions that have been taken by Mr Bartholomaeus he cannot take up my complaint under his Act.

I know other people have made complaints and it may be possible for the Ombudsman to pursue an inquiry at the appropriate time, but that will not be while we are waiting for the outcome of the inquiry by the Commissioner for Public Sector Standards. We will wait to see the outcome of that and I will use freedom of information and any other means to try to get that information because it appears the Government is doing a snow job hoping that the problem will go away. It is unwilling to face up to its responsibilities.

This is not the first time that Mr Bartholomaeus has had a report done on him for the Public Sector Standards Commission. The member for Armadale who will speak later in this debate, will refer to a complaint she lodged about actions taken by Mr Bartholomaeus last year. A report was prepared on the actions which were the subject of the complaint and that report is yet to be acted upon. In answer to a question on this subject the Premier said the matter had been put to rest. He did not provide an explanation of what had unfolded and what action needed to be taken to ensure that such transgressions did not recur. The member for Armadale is seeking through FOI a copy of the report which has been hidden in a file for many months. She is experiencing a range of bureaucratic actions to prevent her having access to that report.

The Government cannot establish a code of ethics, with fancy words about the practise of universal fairness, protecting rights to due process, equal opportunity and equitable outcomes, which it totally disregards. When examples are given of a department's chief executive officer doing the exact opposite, the Government wants to hide the issue. This issue cannot be hidden. The result of this biased, prejudiced maladministration is that the lives of working men and women in this State are being put at greater risk.

Mr Kierath: I will make sure that the people in WorkSafe get a copy of your speech.

Mr KOBELKE: I hope the Minister does that. I said at the outset that leadership is the problem. There are many professional, hardworking and competent officers in WorkSafe who do their very best to uphold the legislation and look after the interests of the workers in this State. The difficulty is the lack of proper leadership by the CEO and the Minister to establish standards.

The Minister is being driven by an ideological campaign against unions which cannot be excluded from the process of establishing safer workplaces. Before the Minister's interjection I was commenting on the general level of occupational incidents, accidents and deaths in Australia. A report that was published recently - which I will not quote from, but the Minister may wish to use it - indicated that the level of work-related fatalities in Australia exceeds road accidents in any one year. It is a huge problem and an agency such as WorkSafe Western Australia should be tackling the problem to bring about a reduction in the fatalities and other accidents which cause ill-health and injury to workers. That cannot be done if there is an antagonistic approach to try to lock unions out of what must be a cooperative approach to improving safety in the workplace.

This issue will not go away because unfortunately the number of deaths and accidents will remain far too high. Each time there is a media report of those incidents, and that occurs almost daily, people will ask why WorkSafe is not working. Although there might not be enough officers in WorkSafe, those who are there are doing an excellent job. It comes down to the fact that we have a Minister and CEO who will not uphold the legislation and who are in contravention of the Occupational Safety and Health Act when they refuse to work cooperatively with the unions and put a blanket ban on them.

The Opposition wishes to deal with other motions tonight so I will conclude and await the Minister's response.

MR KIERATH (Riverton - Minister for Labour Relations) [7.45 pm]: I could not believe it when this motion was moved. I will go through the issues the member for Nollamara raised and I will conclude with the record. Members should forget the hot air and rhetoric that occurs in this place and consider only the facts. The safety record of this Government makes the Opposition's record when it was in office look sick. I will come back to that.

First, I will refer to the rhetoric used by the member. I own up because at first the member bewildered me when he quoted sections of the Act. I called for a copy of the Act and under section 18 I could not find the words he quoted. He corrected himself and said he was referring to section 14(1)(d) which refers to unions and talks about providing advice to, and cooperating with, a group of people, including unions. I remind members that they must read the Act in its totality. The member for Nollamara is up to his old trick of confusing people because it refers to, "functions of the Commission". The commission is not Neil Bartholomaeus; it is a tripartite group of government, employers and unions.

Several members interjected.

Mr KIERATH: I wonder whether the member had the benefit of a state public school education because section 18 refers to the commissioner and the department.

Several members interjected.

Mr KIERATH: That is right, the two letters "e" and "r" make all the difference. The fundamental problem is that members opposite quote sections referring to the commission, which is an appointed tripartite body that oversees the operation of the agency known as WorkSafe Western Australia, and there is a person who is the commissioner and he has some slight judicial powers, but basically is the CEO of the agency. They are two different things. The member quotes these things through either total ignorance, and now I have brought it to his attention he can no longer claim that, or it is deliberate deception.

Mr Baker: It cannot be that.

Mr KIERATH: It must be one of those because there is no other explanation, unless he suffers from old timers' disease.

Someone said this is the Opposition at either its best or worst, depending on one's perspective. Whichever way members want to look at it, the bereft Opposition is doing the bidding of the trade union movement because it is not prepared to stand on its feet and do its own bidding.

Let us use our powers of analysis to determine why it is occurring. It goes back to an incident that occurred on 26 June this year. The union thugs, and I use that word carefully, could not intimidate WorkSafe WA when they unlawfully entered its offices on that occasion.

Mr Kobelke: Has any legal action been taken?

Mr KIERATH: I have been told an investigation is under way that might result in action being taken against them.

Mr Kobelke: There is no legal action yet.

Mr KIERATH: They unlawfully entered those premises, and this Opposition is sticking up for them. It is condoning the unlawful entering of premises. The member for Nollamara and the Australian Labor Party endorse that action.

When it is looked at in this light, the motion is totally outrageous. The unions broke into WorkSafe buildings because they wanted to threaten and intimidate WorkSafe WA inspectors. Those inspectors were operating fairly, equitably and without fear of any thuggery, including union thuggery. That is why the member for Nollamara has embarked on this vicious attack on the credibility of WorkSafe and its CEO. There is no other reason, and he stands condemned.

WorkSafe has integrity in properly administering the Occupational Safety and Health Act in the face of very difficult circumstances, including the standover tactics under which these inspectors must operate. These standover tactics are employed by the union. The Opposition thinks it is okay if it is done by the union, but not if it is done by employers. The Opposition has double standards. If the Opposition had any credibility, it would say it was opposed to standover tactics, whoever the people are.

The union people broke into the premises to threaten and intimidate inspectors whose job is to help people at the workplace increase safety. It is hard to do that because they must tread all sorts of delicate lines and try to balance competing interests. It is hard to be abused by all sides when the people who will benefit from their actions often criticise them. The workers will benefit from safety in the workplace, and it is disgraceful for them to attack the umpire.

The member for Midland was once a member of the WorkSafe staff. She left another place and went there while the Liberal Party was in power and I was the Minister responsible. I must have missed that. We did not try to stop that, and she used that position as a launching pad to become a member of this place. This Government is interested in workplace safety regardless of who is involved, even if it is a future Labor member.

The WorkSafe inspectors were not intimidated by the union's actions, either in their office or on site. Earlier in that same week the union requested an inspector to attend a construction site in East Perth over alleged safety breaches. An inspection was made of the premises and the inspector found no breaches whatsoever. He issued no prohibition or improvement notices. Unfortunately, that did not suit the union's cause. It wanted something with which to beat the employer over the head. The union was trying to pressure the employer into an enterprise agreement, and it was using safety issues with which to do so. When the inspector could not find any safety breaches, the union turned on the inspectors. Union members tried to show WorkSafe who was the real boss by invading its premises. Any decent

member of Parliament would condemn those actions as utterly disgraceful and against everything this institution stands for. If anyone is operating without fear or favour, it is WorkSafe WA. It is being caned by the unions, the employers and sometimes by the Government. It is in the middle trying to improve safety in the workplace and to make sure workers can make a living without fear of being killed or seriously injured. It is a very difficult position. People do not love those in that position.

In my first three months as a Minister, in my role as a member of the Legislative Assembly, I thanked a law enforcement agency involved in water for action it had taken. The supervisor said the person involved had been working in government for 29 years, and this was only the second vote of thanks he had received in his working life. I found that amazing, but the department said these people are at the enforcement end and people do not thank them for doing their job properly. In fact, people attack them for that. Members must understand that.

I told Tony Cooke that I understood his playing politics, but these people are trying to protect the people he claims to represent and he should not take cheap political shots at them because that would not help anyone. We have heard nothing from the Opposition condemning the union thugs for breaking into premises. Does the member for Nollamara condemn that?

Mr Kobelke: I condemn any thuggery, whether it is by the Minister, Neil Bartholomaeus or the union.

Mr KIERATH: Does the member condemn them for breaking into the offices of WorkSafe?

Mr Kobelke: If they broke in, why were they not charged?

Mr KIERATH: The member should not hold his breath! Does he condone those union people injuring a public servant who did nothing but try to perform her duty?

Mr Kobelke: Were charges laid for the injury?

Mr KIERATH: The woman was injured by the actions of the union. Does the member condone or condemn it? By his silence he condones it. I said earlier that if the unions are doing it it is A-okay but if it is anyone else it is totally wrong. That is an indication of the member's double standards.

Mr Kobelke interjected.

Mr KIERATH: Put it on the record! Condemn anyone who unlawfully breaks into a premises.

Withdrawal of Remark

Mr COWAN: Mr Speaker -

The SPEAKER: Unfortunately, the member for Nollamara in the heat of the exchange used a word that is not acceptable and I believe it impugned the Minister. I ask the member to withdraw the word "lies".

Mr KOBELKE: I am happy to withdraw but I said, "Do not put lies into my mouth."

Several members interjected.

Mr KOBELKE: I withdraw.

The SPEAKER: I take it that the member has withdrawn unconditionally.

Debate Resumed

Mr KIERATH: I think any responsible MLA would condemn any group of people who broke into premises unlawfully and injured a public servant trying to do her job, and anyone who damaged property that had nothing to do with the issue.

Sections 24 and 25 of the Occupational Safety and Health Act contain provisions for the resolution of workplace safety issues. Those sections recognise the key parties, who are the employers, employees and safety and health representatives as elected at the workplace. That does not translate to union officials. This is where members opposite misunderstand the situation. If a union official wins an election at the workplace, he will be a safety and health representative but the person appointed by the union is not automatically the person in charge of safety at the workplace. The provisions make no mention of unions. They refer to an elected safety and health representative. The Act provides that if those parties cannot resolve a safety issue at the workplace, if there are no safety and health representatives they have a specified right to call in an inspector.

It should be sorted out among the people in the workplace. If that is not possible a WorkSafe inspector should be called in. Under section 25 of the Act unions have no role in that process. Perhaps if the mob opposite were in

government they would allow that. However, they introduced this Act. The Labor Party was in power for 10 years. Did that Government give the unions a role under the Act? Not on its Nellie; it did not give the unions a specific role. It gave the elected safety and health representative a role. When in government, the Labor Party did not trust the unions; it did not give them an exclusive role. Now that I am in government I understand why. I agree with the Opposition on that issue; I would not give them a role of trust either.

In the case to which I referred, the unions are trying to override the clear statutory role for safety and health representatives under the Occupational Safety and Health Act. They are trying to impose their power in the workplace. WorkSafe has been properly administering the Act recognising the statutory rights of health and safety representatives, employees and employers, notwithstanding the pressure applied by the unions and the Opposition, which is a sad thing. Surely the Opposition should have positioned itself to be on the side of safety rather than take a partisan stance, and say it stands for improving safety in the workplace. It should be doing that rather than defending a group of people who have misused and abused their position.

Someone said to me that this Opposition and the unions are fielding the old industrial political team. I guess the irony in that is that WorkSafe is operating with great integrity to maintain the role of safety and health representatives and the role of safety and health committees which, as I said, were not a creation of this Government but a creation of the Opposition when it was last in government. Despite some initial reservations, this Government thinks this is a good system. Since winning government in 1993, it has spent approximately \$400 000 each year providing subsidies for the training of safety and health representatives. There are now 4 568 registered safety and health representatives throughout Western Australia who have been properly elected and appointed.

The further irony - this might lie at the heart of the matter - is that the safety and health representative systems will make unions more redundant to safety as they have become redundant to many other aspects of working life. On 19 September, two union officials commandeered a tower crane at the same East Perth construction site.

Mr MacLean interjected.

Mr KIERATH: Yes. The union officials claimed that their actions were in response to safety problems and an attempt to get WorkSafe to attend the site. In contradiction to their dangerous antics, two trained safety and health representatives had not sought the assistance of WorkSafe inspectors. The proper elected health and safety representatives under a Labor Government Act were satisfied. The two key union officials from the union were not satisfied. Why? Was their real agenda to pressure the employer into improving safety? No. They were pressuring the employer into agreeing to an enterprise agreement. Is it not fascinating? They were not prepared to allow the employer to negotiate; they had to pressure the employer. Their version of bargaining was to use standover tactics. Again we see an abuse of the system for industrial relations purposes rather than the safety purposes for which this Act is designed. One thing the coalition has done in government is try to take safety out of a partisan industrial relations issue and turn it into a true safety issue from which all parties can benefit. That is difficult sometimes because of the likes of the Opposition doing the bidding of one group.

I have also had the problem of employers complaining to me about the antics of WorkSafe inspectors. It is a very difficult situation to take the middle ground and avoid the extremes in the debate in an effort to improve safety for people who go to work every day. The Opposition has the audacity to promote the union cause by undermining the very Act it introduced. I am disappointed in the actions of members opposite, although I have come to expect that from them over the past few years.

Mr Johnson: Like the Mafia really.

Mr KIERATH: That is exactly right. I did not say that because I have some very good Italian friends.

Mr Cowan: Are they in the northern province?

Mr KIERATH: I will not get drawn into this because I will lose, so I will sidestep the issue. I draw to members' attention the excellent record of this Government on occupational safety and health.

Enforcement under this Government, much to the disappointment of the employers, has increased.

Ms MacTiernan: That is nonsense.

Mr KIERATH: I will read the figures to the member for Armadale and she can check them. There has been an 87 per cent increase in the number of prosecutions, with 127 in 1996-97 compared with 68 in 1992-93, when the Opposition was last in government - nearly double the number of prosecutions. There has been a 23 per cent increase in improvement notices with 5 502 in 1996-97 compared with 4 461 in 1992-93 - again a substantial increase.

Prohibition notices have increased by 25 per cent with 725 in 1996-97 compared to 580 in 1992-93. These are the

facts, not rhetoric from the Opposition, not fabrication and not manufactured stories. Members opposite find it difficult to swallow that this Government's safety record is better than theirs when they were in government. They cannot stomach that. The results on the ground are a 27 per cent reduction in the rate of work related fatalities. More than 25 per cent fewer people get killed in the workplace. No matter how much it sticks in their throat, members of the Labor Party should acknowledge that.

Mr Kobelke interjected.

Mr KIERATH: In 1992-93, 25 people went to work and got killed and in 1996-97, 20 people were killed in the workplace. I agree that is 20 too many; nonetheless, a further 21 per cent reduction in the rate of lost time injury and disease. There has been a 27 per cent reduction in fatalities and a 21 per cent reduction in injuries at work.

Members opposite must agree that is an excellent improvement in safety records by anyone's standards. I acknowledge that that safety record has not been achieved without a deal of pain on all sides. To attain that rate of improvement, things must be done differently and it is difficult for people to adjust. In 1995 I set what we called our "WorkSafe WA 2000 Vision". That was to ensure that workplaces in Western Australia were the safest in not only Australia but also the world. We set our target to halve the death and injury rate by 2000. They are noble goals that most people would support. Employers and employer associations, employees and unions have genuinely supported those goals.

However, as I said, to achieve that we must make changes to the way we do things. That could well cause employers and the unions some difficulty. In the end, the goal of safer working places for Western Australian men and women should be supported by everybody in this House.

The useless rhetoric the Opposition came up with tonight was part of an abysmal and disappointing performance. The Opposition still has not understood the matter, yet it seeks to take the high ground on workplace safety. Let us put the rhetoric to one side and look at the facts; that is, a large reduction in fatalities, a substantial reduction in workplace injuries, and a continuing achievement to the worthwhile goal of having the safest workplaces in the world by 2000. Rather than criticising the people who are working to achieve those goals, this Opposition should support them. Opposition members may not have any time for the person who is the chief executive officer. However, in the end, ego, friendship and mateship do not matter. What matters is performance on the ground. If this State reaches that goal by 2000, that is something of which every person in this place and every person working in Western Australia should be proud. I hoped that even this mean-minded Opposition could bring itself to support that common goal for everyone's good.

MS MacTIERNAN (Armadale) [8.10 pm]: I add to the comments that were made by my colleague the member for Nollamara. I will address first some of the issues raised by the Minister for Labour Relations. What the Minister has done with these figures is what he has always done; that is, cook them and use misrepresentative samples. It is interesting the Minister has chosen as his baseline the year 1992-93. The Minister may remember that he took responsibility for the portfolio midway through that financial year. It was a year over which his administration was partially responsible.

Mr Kierath: All your policies were in place.

Ms MacTIERNAN: The Minister may not have changed his act then, but the department changed its act quickly. The great demonstration of that was the conduct of the CEO of WorkSafe who within the first week of this Government's taking office approached the Government and convinced this Minister - I do not think he took too much convincing - to repeal the manual handling regulations that had just been gazetted.

Mr Kierath: That was my doing.

Ms MacTIERNAN: The Minister acknowledges that he got into the department within the first week, hands on, and started playing around with WorkSafe and the administration. I thank him very much for that interjection because he has proved my point.

Mr Kierath: Those regulations were rejected by Parliament and they were reinstated, rightly and properly.

Ms MacTIERNAN: Picking out 1992-93 and simply comparing it with 1996-97 is a dishonest strategy. One must look over a number of years. If we compare four years of the Government's performance with four years of the Labor Party's performance, we see a different picture. I do not have the statistics with me at the moment. However, my recollection is that in excess of 31 deaths occurred in 1995-96, which is in excess of the figure quoted by the Minister for 1992-93. I could go on ad nauseam about that. The Opposition does not pretend that WorkSafe has stopped altogether and that many of the sound initiatives in this area that were developed under Labor do not continue to bear fruit. However, a vast degree of regression has occurred.

Rather than go into a general critique of WorkSafe, I will focus on three small incidents that support the contention of the member for Nollamara that under this Government the WorkSafe Commissioner has not discharged his functions with the sort of impartiality he is compelled to adopt under the ethics governing the public sector. The first incident I refer to occurred early in the piece. In 1994 WorkSafe was engaged, as it had been for some time, in completely revising the myriad regulations that related to occupational health and safety. That is a time consuming task. Regulations under four or five separate Acts had to be reviewed, reassessed and modernised. Funding was provided to the Trades and Labor Council for one of its officers to be engaged full time in that activity. Members must bear in mind that the benefit of this work did not accrue simply to union members. The Minister has told us ad nauseam that the union movement does not represent the entire work force. Given the effort that had to be applied to achieve this end, it was appropriate that this officer from the TLC, who was a work and safety expert, be given funding to enable him to discharge his duty. The funding had expired and an application was made by the Trades and Labor Council for a renewal of the funding. I will quote a passage from Mr Bartholomaeus' letter in reply, wherein he announces his decision not to extend the funding. The letter states -

Your submission arrived on my desk at essentially the same time as construction unions were rallying at Parliament House and outside my office criticising the Government and this Department on construction safety. Statements were made to the media by construction unions that there was "blood on the hands of the Government" and I was "the Minister's pussy cat".

I am glad to see the Minister is so deeply enthralled.

Mr Cowan: You blame him?

Ms MacTIERNAN: Yes. He is obviously discussing a joint venture with the member for Murdoch.

Mr Kierath: We were talking about how important it is to have clear goals that are not fudged in the process. That is where you have gone wrong. You have stopped having a vision of improving safety and you have become totally focused on the process.

Ms MacTIERNAN: Not at all, Minister. The Opposition is providing clear and concise evidence that the objectivity and impartiality of the WorkSafe Commissioner has been compromised.

According to Mr Bartholomaeus' letter, this outrageous conduct by construction unions to rally against and criticise the Government and to have the audacity to describe the esteemed person of the WorkSafe Commissioner as the Minister's pussy cat was sufficient to bring to an end the funding of a TLC officer who was engaged full time in the important task of reviewing the myriad occupational health and safety regulations. The clear message was sent to the unions that they would continue to get the support they deserved for doing work, which was essentially on behalf of the entire community, only if they did not criticise the Government and only if they did not refer to Mr Bartholomaeus as a member of the feline family.

Mr Shave: You should treat someone like Mr Bartholomaeus with a little more courtesy.

Ms MacTIERNAN: I am quoting his letter. It is of great concern to the Opposition that Mr Bartholomaeus has displayed a propensity to punish unions for not going along with the Government. That is reprehensible and it should be brought to the attention of this place. The code of ethics and the public sector standards have clearly been breached.

The second example arose some time later, in 1996. The regulations were completed, although there was great concern that they had been rushed to the gazettal phase. They were gazetted on the day of a rally to protest against the death of a young union organiser, Mark Allen. I am sure most members are familiar with that tragic story. After some years of work on these regulations, it was a matter of pure coincidence that they were hurriedly gazetted on the day of that rally. That was an act of considerable cynicism.

A number of regulations caused grave concern, not only to the union movement but also to many other people in the community with some interest in these matters. The Labor Party has received submissions from all these groups pointing out difficulties with many of the regulations and how they make the situation of working people in the State less advantageous than it was before the regulations were gazetted.

Unfortunately, under the standing orders, the Opposition has little choice if it wishes to debate such issues but to go through the normal process of moving for the disallowance of the entire body of regulations. That is the only mechanism available to members of Parliament to have the matter debated. Not only did Mr Bartholomaeus take exception to the union movement's protesting against the Government and use that to justify withdrawing funding, but also he objected to unions making submissions to the Labor Party criticising his regulations.

In October 1996, he issued a memorandum to his staff. Previously, as a matter of routine and duty, his officers

attended the various health and safety training programs conducted by the unions. The aim was for them to contribute their expertise in discussing the regulations and occupational health and safety issues to improve the standard of health and safety in the community. Mr Bartholomaeus was clear in his memo that, because the union movement had had the audacity to approach the Labor Party and to inveigle it to move a disallowance motion so that some of these matters could be considered, his officers were no longer to attend any union sponsored health and safety courses. That is an absolutely outrageous proposition and partisan conduct on the part of the WorkSafe Commissioner. That again caused a great deal of cynicism within the union movement about Mr Bartholomaeus' impartiality in the execution of his duty.

Mr Bartholomaeus did not turn his sights only on the union movement and its criticism of the Government; apparently the Labor Party is not allowed to criticise the Government either. In the context of a number of concerns members on this side raised regarding the conduct of various officers in the Department of Occupational Health, Safety and Welfare, and in particular one allegation that there had been corrupt dealings by one officer or possibly more officers in the department, Mr Bartholomaeus responded that the Opposition was raising this as a smokescreen and that it had politicised occupational health and safety. It had no credibility in the area because it had the audacity to use its parliamentary position to move the disallowance of the regulations. As I said, that was the only mechanism available to enable debate on some very real concerns about the regulations. Mr Bartholomaeus made these statements to a journalist, Jim Kelly, and they were duly reported in the *Sunday Times* and thereafter in *The West Australian*.

I sought advice on this conduct. The Opposition believes that it is highly inappropriate for a senior public servant to undertake the Government's role and to criticise members of the Opposition for what is proper and appropriate action on our behalf. Even if it were the wrong action, it is not his place to make political attacks on the Opposition; that is the Government's role. In this case it was doubly unfair because it was a path we followed quite properly. I was then advised that there was a prima facie breach of the public sector standards. The Opposition then raised the matter in Parliament in November 1996. It was advised that the Premier had ordered an investigation of the matter by the Public Sector Management Office. As I said, that was November 1996. The Premier told us in March this year that that report had been finalised. However, as Mr Bartholomaeus has written a letter of clarification to me, there is absolutely no point in pursuing it.

Mr Shave: This sounds very much like a witch-hunt. You are deliberately victimising this hard working public servant.

Ms MacTIERNAN: The Minister for Lands is talking complete nonsense. He will recall that Mr Bartholomaeus was appointed under Labor -

Mr Shave: That is why I think this is a witch-hunt. He is not doing what you want him to do.

Ms MacTIERNAN: Many able bureaucrats and advisers have served under Labor and under the -

The SPEAKER: Order! The member for Armadale.

Ms MacTIERNAN: This is not a witch-hunt. It is a matter of extreme concern to the Opposition that this senior bureaucrat would -

Mrs Roberts: He was in the Labor Party.

Ms MacTIERNAN: He should know.

Mr Shave interjected.

Ms MacTIERNAN: The Minister can say that; it is clearly nonsense. The Opposition has demonstrated very well the partisan role unfortunately played by the WorkSafe Commissioner. A report has been prepared, so obviously the Premier felt that there was at least a prima facie case for complaint about Mr Bartholomaeus' attack on the Opposition. Members on this side are waiting for that report. The Premier's answer in June stated that Mr Bartholomaeus had written me a letter of clarification. In his letter Mr Bartholomaeus claimed that he could not remember ever having used any of the nasty words that were reported in the newspaper article and he felt that it was completely unlikely that he would ever have made such comments. We have all been misquoted in the newspaper, so I contacted the journalist. He had kept his records and was able to quote the conversation that he had with Mr Bartholomaeus. We have tried through the Freedom of Information Act to obtain a copy of the report. The Ministry of the Premier and Cabinet has refused our application saying that the matters investigated may reveal some disciplinary or other breach and it is not prepared to release the report. That is extraordinary because the Premier said there would be no further action, yet his department said that, because the report might reveal some misdoing, it will not release this report. I guess the message from that is if one commits a wrongdoing, any report into that will be privileged.

To summarise, the statistics that have been used by the Minister for Labour Relations are once again completely inaccurate. They contrast only two years - one year in which he had administration over 40 per cent of that year - and if one considers the statistics over a four year period it is a different picture. We have also set out tonight three examples in which we believe, unfortunately and regrettably, that the WorkSafe Western Australia Commissioner has breached the ethical standards of the public sector and has compromised the neutrality of the Public Service. These are not mere technical breaches; they go to the heart of the way in which Mr Bartholomaeus is administering that office. We have not raised this matter because of any personal malice towards Mr Bartholomaeus. The Labor Government happily appointed him to that position. We are concerned that he has taken a partisan role under the leadership of the new Government. Of course, it might not be surprising. After all he is on a five year contract and much of the changes implemented under the Public Sector Management Act put senior public servants in a politically vulnerable position. It does not surprise members on this side that from time to time officers feel that in order to protect their positions, they must protect their Ministers in a manner that conflicts with ethical standards.

MR TRENORDEN (Avon) [8.33 pm]: This has been an ordinary debate.

Mr Kobelke: You are going to drag it down.

Mr TRENORDEN: I will raise a few points in this context, although if I get down to the level of the member for Nollamara I will happily sit down. The speech of the member for Nollamara came directly out of the 1950s. It was an amazing piece of rhetoric. In fact, I thought the type of contribution that the member for Nollamara made to this debate ceased back in the 1950s. Some years ago while members opposite were in power, the Northam hospital was a major construction project in the town of Northam. It was a heavily unionised site, and if one did not have a ticket one did not get onto the Northam hospital site. One day there was an urgent need for a crane. I cannot remember the exact tonnage; it was about 5 tonne. It was not a huge size. The only crane available was in the hands of a local small business person. However, none of that person's work force was a union member, so that crane was not allowed on the site; it was banned. The union authorised chains and an undefined weight to be hung from a front end loader that was driven by a ticketed union member. Not even farmers would do that!

Mrs Roberts: Is this the member's story from the 1950s?

Mr TRENORDEN: The hospital was built in about 1992. The union's action put several people at moral risk.

Several members interjected.

Mr TRENORDEN: No, not at moral risk. It put the Minister of the day at moral risk but it put a number of other people at physical risk. When the complaint went to the Minister of the day and to the same person members are complaining about now, nothing was done.

Mr Ripper: What was the moral risk?

Mr TRENORDEN: The moral risk was that the Minister of the day would not do anything about it because the union movement had a stipulated position of no ticket no start no matter whatever the safety requirements were.

Mr Kierath: Even if it jeopardised the safety of the workers on site.

Mr TRENORDEN: That is right. The no ticket no start philosophy was more important than the safety of the workers. That complaint was made to the Minister's office and to WorkSafe and they refused to deal with it because of the position of the union. The last thing we need is for the political process to interfere in WorkSafe. That is what members opposite say should happen now. They want the Minister to get involved in the process. The attack on the WorkSafe Western Australia Commissioner is rather strange. I went to school with Neil Bartholomaeus. I do not know him well, but I do know him. He is my age and was in one or two of my classes. From memory, he was a Labor Party candidate on at least two occasions.

Ms MacTiernan: I supported his preselection for Perth. That shows it is not personal.

Mr TRENORDEN: The man stood for the ALP and he was working for the same government authority. He may not have held the same position, but I believe it was the same department; I would not swear to that. This is one of the standard ALP attacks on those people who do not do the good soldier work for the ALP. Mr Bartholomaeus is no longer doing the bidding of the ALP so he is out. That standard procedure of the ALP has been reported in many cases. Why do we have debates in this House that go for an hour on these old tired arguments about the unions and how Ministers and Governments should be involved in work practices and unions? It is a tired, rotten argument. Safety provisions are paramount. My 23 year old son recently resigned from a job that was paying well over \$1 000 a week because he felt that his life was being put at risk. He told the boss, "I don't like this. I am uncomfortable. I'm out of here." He told his union and it did nothing about it. He is still a member of the union.

Ms MacTiernan: Do you think Mr Bartholomaeus should have refused funding to an organisation on the ground that it criticised the Government?

Mr TRENORDEN: I do not think people like the member for Armadale should politicise the role of top public servants. Those opposite think it is half smart to do that. They have forgotten that I spent seven years on the other side of the House. From time to time, when I sat over there, in an attempt to score a point against a Minister, we also forgot about being reasonable and about the public having some support for these agencies. The member for Armadale is trying to score a point against the Minister. That is fine. However, the lack of public confidence about which those opposite talk is in their minds only.

Mr Kobelke: What about your son's mind? Why didn't he go to WorkSafe?

Mr TRENORDEN: He did. He went to the safety officer in the union. Where else does he go? Surely the safety officer of the union should go to WorkSafe.

Ms MacTiernan: That is precisely the point. Mr Bartholomaeus is now saying that if the union comes to him with a complaint, he will block his ears and not listen to it. Poor old Max's son would not have his complaint dealt with.

Mr TRENORDEN: The member for Armadale is looking at this matter through rose coloured glasses. She is applying her principles to WorkSafe. WorkSafe should encompass a democratic process through which people can lodge a complaint against the boss or a boss can lodge a complaint against an employee about unsafe work practices. The last thing that is needed in that process is politics. If those opposite start to bring politics into this arena and attempt to shift the attitude of either employers or employees on a fundamental issue, they are doing all Western Australians a serious disservice.

MR KOBELKE (Nollamara) [8.41 pm]: First I will take up some matters raised by the member for Avon. If he thinks about it, he will see that the example he gave of his son indicates that he is living in the past. I am talking about his going back to the fifties, not the late 1980s when under the Labor Government, WorkSafe made huge gains in working safety. The amendments made in 1987, following the 1984 Act, took a huge leap forward in the approach to health and safety in the workplace. The member is remembering that time. If he reflects on it, as other members will, he will see that it is totally unacceptable that people today - the member for Avon gave an example - are throwing in their jobs because they fear for their health and safety and they could lose their lives in the workplace. That is an incredible statement made in this debate by a government member. He is talking about something that happened in the life of this Government.

As I have already indicated, it is now becoming far too common a practice. The Government is not in the past, back in the late 1980s when things seemed to be improving. We are now going backwards, and people know it. They fear for their safety in the workplace. The member for Avon was quite right when he said that we do not need to make this issue political. If it is made political, the cooperation that is necessary to improve health and safety in the workplace will stop. Our problem is that the commissioner, the chief executive officer, is politicising the process, refusing to deal with certain parties on a political basis. He is withdrawing money on a political basis from organisations involved in health and safety. We want to depoliticise it. We want the Premier and the Minister for Labour Relations to take action, to pull the CEO into line and tell him to stop politicising it. Then we will hope to see some improvement. The Minister has a very special skill - or a bad habit, depending on one's perspective - of sounding very plausible, if people do not know any of the facts of the matter. If they know some of the facts of matter, they know he is talking absolute nonsense. The Minister tried to pooh-pooh my argument about the commissioner's role and responsibility by trying to use the distinction between the commissioner and the commission. There is a distinction, but it has nothing to do with the argument I was putting. My argument was that under section 18, the commissioner is subject to the control and direction of the Minister and is responsible to the Minister for the administration of this Act and any other law relating to occupational safety and health administered by the Minister. I reiterate: The commissioner, Mr Bartholomaeus, is responsible for the administration of Act.

I referred to two sections of the Act. Section 5 contains the objects of the Act, which refers to fostering cooperation and working with unions. The commissioner is required to do that. As the commissioner, he must uphold the Act which means its objectives. Section 14 relates to the functions of the commission, of which the commissioner is a member. That contains another reference to the role of unions. I accept what the Minister said that where it comes to the enforcement provisions, there is no current requirement for unions at a workplace as designated in the Act; however, they are not excluded.

The Minister rightly referred to the fact that safety and health representatives are specifically mentioned. We have problems with that because it does not always work. In nearly all cases in workplaces where there are real problems, because of poor management and an abuse of workers' rights, there is no health and safety representative, or one who is properly elected under the Act. Enforcement of that is very difficult. At another time I will bring forward cases

which I believe indicate the Act has been breached and no action has been taken because the employer has simply nominated someone and not gone through the election process required under the Act. We always rely on health and safety representatives to take up the task, even though they are not designated in the relevant section as being able to make such a report.

The member for Armadale alluded briefly to the statistics used by the Minister, but I will not go into them. Members will be well aware of the way this Minister uses statistics for his own advantage, rather than to show up the real picture. We will come back to that debate another time. The anecdotal evidence coming through, even from the member for Avon in this debate, is that people are in unsafe workplaces and nothing is being done about it. It is becoming so common that we have major problems. As I have already mentioned, the figures in the latest report on compensable accidents and incidents - that is, at the end of the day when companies have to pay out when people are injured or killed at work because they are covered by workers' compensation - show an increase, not the reduction the Minister would have us believe from the figures he plays around with that are produced by WorkSafe. We wish to discuss other matters tonight, so I have must leave the debate.

In conclusion, key issues about the ethics of this Government are raised in this motion. This Government can walk away from its rhetoric and say that it is simply words. It does not require its chief executive officer and its Minister to behave in an ethical way as laid down in the code of ethics. Those opposite must either face up to the issue and debate it or, as the Minister has done today, avoid it; just throw in a few words that might create effect and not say that it requires ethical behaviour in keeping with the code of ethics established by the Commissioner for Public Sector Standards.

Question put and a division taken with the following result -

Ayes (17)

Ms Anwyl
Mr Brown
Mr Carpenter
Dr Edwards
Dr Gallop
Mr Grill

Mr Kobelke
Ms MacTiernan
Mr Marlborough
Mr McGinty
Mr McGowan
Ms McHale

Mr Ripper
Mrs Roberts
Mr Thomas
Ms Warnock
Mr Cunningham (*Teller*)

Noes (30)

Mr Ainsworth
Mr Baker
Mr Barron-Sullivan
Mr Bloffwitch
Mr Board
Mr Bradshaw
Dr Constable
Mr Cowan
Mr Day
Mrs Edwardes

Mrs Hodson-Thomas
Mrs Holmes
Mr House
Mr Johnson
Mr Kierath
Mr MacLean
Mr Marshall
Mr Masters
Mr McNee
Mr Minson

Mr Nicholls
Mrs Parker
Mr Pandal
Mr Prince
Mr Shave
Mr Sweetman
Mr Trenorden
Dr Turnbull
Mrs van de Klashorst
Mr Osborne (*Teller*)

Pairs

Mr Graham
Mr Riebeling

Mr Wiese
Mr Court

Question thus negatived.

MOTION - SELECT COMMITTEE

Extension of the Perth Passenger Rail System

MS MacTIERNAN (Armadale) [8.53 pm]: I move -

- (1) That this House establish a select committee to examine the issues involved in the extension of the Perth passenger rail system through the south-west corridor to Rockingham and Mandurah including -
 - (a) the relative advantages and disadvantages of the proposed routes for the rail extension;
 - (b) the rail type and associated technology best suited to the services the rail extension is designed to provide;

- (c) the integration of the extension with the existing and future passenger rail services in the metropolitan area; and
 - (d) the funding options available for the development of the system extension.
- (2) That the committee have power to send for persons and papers, to sit on days over which the House stands adjourned, to move from place to place and to report from time to time.
 - (3) That the committee finally report by 31 March 1998.

It is a matter of public record that both sides of this House have stated publicly and forcefully that they strongly support the delivery of a rail service to the south west of the metropolitan area. In our view, Mandurah falls well within the metropolitan area.

The Opposition has a genuine desire for the establishment of such a select committee. We are not raising this issue simply in order to publicise some of the issues. We believe that there are sound arguments why we should adopt a bipartisan approach towards such an important piece of infrastructure development for this State. If the Government were prepared to agree to this select committee, we would not insist upon chairing it and would be happy for such a committee to be chaired by a government member if that would give the Government a greater measure of comfort about the establishment of such a committee.

The latest announcement about a rail link from Perth to Mandurah was made by the Minister for Transport on 7 August this year. These announcements have become somewhat of an annual event; the Minister announced the rail link in October 1995 and in November 1996, and again this year. We do not begrudge the Minister wanting to make the most out of this big project, but there is a real opportunity for a bipartisan approach to be taken to this issue, particularly given that this process is not moving ahead with any great speed.

I do not think any member would disagree that the people in the south west corridor and in southern districts generally deserve a well thought out transport system and infrastructure that equals that provided to citizens in the remainder of the Perth metropolitan area. There is some controversy about the route that will be chosen for the rail link. The decision that has been made by the Government - it appears to be a decision, although there is some evidence that it is not a decision, and we will discuss that later - is to run the rail link from the Armadale line and through Kenwick to Jandakot as a first stage. The problem that we and many people in the community see is that the rail link will not go through Fremantle. These annual announcements by the Minister are about infrastructure that will take us well into the next century. The issue that we should look at is not what is the most politically advantageous route for a particular Government. It should not be a question of routing a line through a marginal electorate in order to maximise one's vote. This is far too important a project for a decision to be made along those lines. The appointment of a select committee will give us an opportunity to look impartially, properly and thoroughly at the competing arguments. We do not deny that there are competing arguments. However, they should be aired properly and thoroughly. It is important to reflect on their cost and the time line commitment involved in the decision to build this infrastructure.

The Minister for Transport's estimation of the Perth to Mandurah link is around \$1b, but we could probably add a few hundred million to that figure, given the Government's performance with the cost of the Northbridge tunnel. Conservatively we are looking at a cost of \$1b. The Minister's time line is that the Kenwick to Jandakot section will be completed by the year 2005 at a cost of around \$200m. I understand that proposal apparently requires another tunnel at Kenwick. By the year 2020 the line will go to Rockingham, and we understand it has been suggested that there be a tunnel there as well to take the line into the city centre of Rockingham because it is not possible to take the heavy rail line into Rockingham without enormous devastation to the existing built environment. Therefore, by the year 2020 there will be two tunnels. We do not appear to have a time frame when it is likely to arrive in Mandurah, but on the progress made so far we can confidently say that the Government's proposal would see a link to Mandurah ready for the fourth millennium.

The real point to be made is not just the obvious one that it has taken the Government a long time to get the train moving. This is a very long term commitment, and I do not think even the most optimistic of government members would believe they will still be in the driver's seat by the time this rail line has reached Kenwick or Rockingham.

Mr McGowan: They could all be dead by then.

Ms MacTIERNAN: Certainly by the fourth millennium there would not be too many remaining. The member for Rockingham could well be struggling on into his dotage.

Mr McGowan: I would be the father of the House!

Ms MacTIERNAN: Yes, the member would be.

Several members interjected.

Ms MacTIERNAN: I did say that the Mandurah rail line would not be finished until the fourth millennium. Perhaps I am being a little cynical. It will probably be ready for the twenty-second century. I take that comment back; the member is correct. The fourth millennium is too far in the future. Perhaps we should look at the twenty-second century.

The important point is that this is a long term commitment. It is a commitment at least for three Parliaments, and that is just to get the line to Jandakot. It is a commitment of \$1b, but it is likely to be much more at the end of the day. If we are not going to throw away taxpayers' money we need to make sure this infrastructure has bipartisan support. We want to make sure it is the best possible proposal, a proposal that has been made with full consultation with the local communities that will be served by the rail infrastructure. It appears to us to be bizarre to attempt to take on such a project in any other way.

The Minister's announcement has had a very chequered community reaction. No doubt in Kenwick and in a number of new areas around Canning Vale, and among many property developers, the proposal has a great deal of support. A number of large landowners have contacted me to say that they definitely want the rail link through Kenwick because it will enhance the value of the property they propose to subdivide. One is always keen to foster business but I do not think the aspirations of a few large property developers should be the primary focus of our decision tonight.

The reaction outside that area around Canning Vale is different. We have spoken to the local authorities, and the mayors and citizenry of Mandurah, Rockingham, Cockburn, Fremantle and East Fremantle, and it is very clear that there is extraordinarily strong opposition to this proposal. The Mayor of Fremantle is on the public record vocally opposing the proposal put forward. Certainly our discussions with the senior officers and Mayors of Fremantle, Mandurah, Rockingham and Cockburn have made it very clear that this is generally the view of people in the corridor. No doubt they want the link to Perth; they welcome it, but they have two concerns. Their first concern is the time line, but that is a question of government budgeting, to some extent. Their second concern is that it has been decided by the Minister, it appears, that the rail link will not go through Fremantle. There is a very strong community concern from those people who are the most intimate targets of the rail service. They say they do not want a rail service that goes to Perth but not through Fremantle. They want a link with both centres.

If we are wrong and we have misread the community on the issue, the Government should let us know. What better forum to find out than the establishment of a select committee where members from both sides of the House can talk to the various members of the community, take submissions and have the matter clarified once and for all. It has been an Australian Labor Party position which we developed prior to the last election that the best way of linking the people of Rockingham and Mandurah with Perth is via the Fremantle route.

Those following this issue are aware that the route proposed by the Opposition involves a deviation onto the freeway to pick up some of the new suburbs. Fundamentally, it is a route which will take the users of the service from Mandurah and Rockingham through to Fremantle and then through to Perth city. It is clear from the information given to us, and through the feedback we receive from the community on a daily basis, that people in the south west corridor strongly regard Fremantle as the regional hub: It is the focus for employment, recreation and, to a large extent, education. Likewise, the people of Fremantle feel that they want rail access to the new areas opening in Rockingham and Mandurah. Various arguments have been used by the Minister that too many train stops are found between Fremantle and Perth. However, that is a rather silly argument as we know it is possible to route express trains to take the southern corridor through to Perth expeditiously. Basically, one can service the aspiration to arrive in Perth and Fremantle through a single line which runs through both those centres.

I know the bureaucracy relies on the statistic that two-thirds of people in the area want to go to Perth, and one-third want to go to Fremantle. Let us provide a rail line to enable both groups to be satisfied.

Mr Carpenter: For three-thirds to be satisfied.

Ms MacTIERNAN: That is right. The statistics which have been collected are somewhat questionable because I understand they apply to normal weekday travel, and they do not take into account weekend and evening travel. Strong arguments have been put to us by the local community that one would see a very different pattern emerge during those times because Fremantle is very much the focus for a lot of recreation opportunities in the evening and on the weekends.

Also, it was made very clear that the local people, particularly in Mandurah where there is a high level of youth employment - 36 per cent was the figure quoted - want young people to have the opportunity to access jobs on the Kwinana strip and also the hospitality jobs in Fremantle. That is an important source of employment growth for many people in the Mandurah region.

It is clear that the Department of Transport and the Minister are coming around to understand that something must be done to link Fremantle and Rockingham. This is evident in the cursory announcement of an express busway linking Rockingham and Fremantle. It is the second-class solution which has been poorly thought out. It is not the solution required. Nevertheless, it is a recognition of the need to develop the Fremantle-Rockingham link.

Again, the Labor Party might be wrong, and the Minister might be right. If the Government is confident of its position, given that we are talking about a distant time frame, what can it possibly lose by establishing the committee so all the facts, statistics and community consultation can be pulled together in a bipartisan way and a decision made?

The Opposition is a little puzzled by the status of the decision that was announced again this year for the third year in a row. On 14 August 1997, a statement was made by Mr Martinovich, the project manager, after the Minister's latest announcement of this proposal. Mr Martinovich stated -

In order to explain to people why we're going through Kenwick, we will do analysis covering the other routes just to confirm that Kenwick offers the best value for money.

It seems from that statement that the decision was made when the Government did not have a full analysis of all alternative options. That is an extraordinary proposition. This matter needs to be clarified. Has the Government completed its analysis? If so, what is Mr Martinovich talking about?

Mr Pental: They backed away quickly last year from a proposal for a possible train route through South Perth. It allocated \$50 000 for a feasibility study, but withdrew it quickly before the election.

Ms MacTIERNAN: Was the problem that it might have shown something positive?

Mr Pental: I think the fear was that it might favour a certain candidate.

Mr Carpenter: People in South Perth can walk into the city!

Ms MacTIERNAN: I am sure the member for South Perth was not simply self-serving, and that he was considering the best interests of the communities of Rockingham and Mandurah.

Mr Pental: You are a very generous person - I have always thought that about you.

Ms MacTIERNAN: Professor Newman, in one of his options canvassed at one stage, outlined a rail link up the centre of the freeway through the electorate of the member for South Perth. That is another idea which needs to be looked at and costed. It is not the proposal the Labor Party favours at this time. However, if a select committee is established, all these ideas and proposals can go into the melting pot.

The south west rapid transit system draft report released in April 1996 basically dismissed the Fremantle option in five lines. That is extraordinary given the strength of feeling in the south west corridor, and given that the route is the number one option in most people's minds. That report, taken in conjunction with Mr Martinovich's statement, offers no confidence that all the options were looked at thoroughly and costed to determine, not what is the most politically advantageous in the short term, but what is in the best interests of the State, particularly the people of the south west corridor, and even the south east corridor in the long term.

The members for Rockingham and Cockburn have substantial contributions to make to this motion. We regret that the Minister for Transport in his public statements appears to be dismissing this proposition out of hand. We are genuinely putting this forward in a spirit of cooperation. It is not our intention to seek the position of chair on that committee, as we are happy for that to go to a government member. We want to ensure that we can support a project of this scale. By the time this project is ready to be implemented, we will be in the driving seat. We do not want to see hundreds of millions of taxpayers' dollars directed to a planning process which must be discarded.

MR McGOWAN (Rockingham) [9.19 pm]: I second the motion. I am grateful to the member for Armadale for proposing the establishment of this committee as this issue deserves a great deal of consideration by Parliament. I know that the members for Peel and Cockburn are also very appreciative that this matter has been raised as this rail link will have a substantial impact on a sizeable number of people living in their electorates.

The members for Dawesville and Mandurah should be supportive of this concept because the proposal will have a major impact on the people in their electorates. I would also expect them to be supportive of the idea because it appears that the Government's plans at the moment would not be supported by anywhere near a majority of the people living in their electorates. If they are to properly represent their electorates, they should be supporting the idea of a reconsideration of the Government's current proposals for the railway line south. The Government should examine the issue seriously and take into account the reasonable proposals moved by the member for Armadale in a very objective way. The member for Armadale's proposal will ensure that proper consideration is given to what will probably be one of the major public infrastructure projects in this State over the next 20 years. Before money is

invested in a project of this nature, it is very important that all of the issues and the needs of the people living in the south west corridor of the Perth metropolitan area are taken into account. The issue is the most talked about and the most important issue to the people living in the suburbs south of Fremantle. It is important that we get this project right, not just for those of us on this side of the House but also for the development of Perth over the next hundred years and possibly forever. We must not do it incorrectly merely to meet short term political gain or to meet some criterion which is obviously not the proper one to use.

It is important at the outset that I put on the record two matters about the south west corridor. I have raised them in this Parliament before and I am sure I will raise them again. The first is the population growth and the contribution of the south western corridor. The second is the promises made by the Government before the last election. The Government needs to be made aware of them so that it can at least attempt to keep to its commitments before the last election. I refer to population growth in the south western corridor: In 1986 the population of Rockingham was 32 000; in 1996 it was 66 000; and it is continuing to grow at an exponential rate. It is estimated that by the year 2006 the population will be in the vicinity of 110 000 people and that by the year 2021 the population will be approximately 170 000 people.

Mr Carpenter: That is a phenomenal growth.

Mr McGOWAN: Yes, on a percentage basis. Rockingham is just part of that area. The total population of the south west corridor of Perth has been estimated to be 400 000 by the year 2021. That is nearly half the current population of the Perth metropolitan area. It means that we can look forward to a population in that section of the Perth metropolitan area which will be something like half the population currently in the entirety of Perth. The age rates of people living in the south western corridor will be as follows: In the Rockingham area there will be a growth in the very elderly section of our population of 197 per cent between 1991 and 2001. During that period there will be a tripling of the number of people over the age of 75 years. This is fairly representative of the extremely high rates of growth across all age groups, but it applies particularly to the elderly folk of the State. Rockingham has the highest average age of people in Western Australia.

Mr Carpenter: Mature people in Western Australia?

Mr McGOWAN: Yes. Additionally, people in their 20s and 30s will have a growth rate between 1991 and 2001 of about 125 per cent. When we compare that with other areas we find that it is an absolutely enormous growth rate. In the area of Melville over that period for people between the ages of 15 and 24 years there will be a negative growth rate of 10 per cent. For people between the ages of 25 and 44 years there will be a 22 per cent growth rate.

Mr Carpenter: That was taken before I moved in with my family!

Mr McGOWAN: The member's family made a difference in the nought to four age group. In the Melville area the over 75 age group will increase by 48 per cent. Therefore, Rockingham has a four times larger percentage increase in the number of people in that age group. The increase is much greater for the number of young people living in the area.

I had a look at the Bureau of Statistics' figures on growth around Australia. I found that in percentage terms Rockingham had the third highest growth rate in the whole of the nation. The highest growth rate in the nation was the area of Caboolture in Queensland; the second highest was Hervey Bay in Queensland; the third highest was Rockingham.

Mr Carpenter: That is a remarkable achievement.

Mr McGOWAN: It is obviously due to the local member. The municipality of the City of Swan came fifth out of the whole of Australia and the City of Wanneroo came fifteenth. When we compare this with areas like Cairns which came about twentieth and the Gold Coast which was similar, we realise the enormous growth that is occurring in the southern sector of Perth.

That is not all because the area also contributes enormously to the economy and the defence of the nation with the HMAS Stirling base in Rockingham. As for the economy, the Kwinana industrial strip has expanded hugely since the 1950s when it was developed. It is the major downstream processing area for Western Australia. The strip employs something like 12 500 people directly and another 12 500 people indirectly. Its direct industry outputs are something in excess of \$8b, which the strip produces for the economy of Western Australia. The south western corridor therefore makes a substantial contribution to the defence of the State and by its capacity to produce jobs for the people of Western Australia.

Rockingham is expanding enormously, as one would expect with its proximity to those employment opportunities and also because of its proximity to the ocean and the joys of living in that area. I will not wax lyrical like the member for Dawesville does, but it is a very pleasant place. I could not possibly talk about crabs and football for

another 15 minutes, but it is certainly an area which is growing at a huge rate and is also contributing enormously to our State's economy.

The second aspect I want to make clear is that particular promises were made before the last election by the Government. I do not believe at present they are being lived up to. I have an advertisement that was placed in a Rockingham newspaper which was authorised by Mr Simon O'Brien who is now a Legislative Councillor. The article refers to both the Liberal candidate for Rockingham and the members on the Liberal upper House ticket for the South Metropolitan Region. It includes the following statement that the Government will be -

Commencing a high speed rail link Rockingham-Perth in January 1997.

Mr Carpenter: It is this year, but it has not started yet.

Mr McGOWAN: This high speed rail link has been operating for 12 months!

Several members interjected.

Mr McGOWAN: My colleagues are using a bit of poetic licence. The statement was that a high speed rail link would commence in January 1997.

Mr Shave: It is. As the Deputy Premier said, it goes so fast you don't see it.

Ms MacTiernan: It is in the fourth dimension.

Mr McGOWAN: It is in the member for Alfred Cove's mind.

Another statement by the Liberal candidate for Rockingham, under the heading of "Rail" states that -

This will commence in January 1997. When complete the express to Perth will take only 38 minutes.

The Government must intend constructing some sort of a bullet train between Rockingham and Perth.

Another statement by the Liberal candidate for Rockingham, copies of which were placed in letter boxes in Rockingham before the last election, reads -

The High Speed Inter City Rail Link from Rockingham to Perth **that has been approved by the state Liberal Government** will provide a very fast efficient inter city link between Rockingham and Perth, taking 47 minutes to get to Perth from Rockingham for all station trains and **38 minutes for express trains.**

At an estimated cost of up to four hundred and fifty million dollars for the high speed inter city link to Rockingham, which includes the cost of the very latest technology in trains, this initiative of the State Liberal Government will ensure that Rockingham is an integral part of the Metropolitan region as we commence the twenty first century.

I think he means the twenty-second century.

Mr Thomas: Did it say the state Liberal Government?

Mr McGOWAN: Yes.

Mr Thomas: I wonder what the Deputy Premier thinks about that?

Mr McGOWAN: One might wonder. The statement continues-

Work will commence on the first stage of the railway line in 1997.

The slogan at the bottom of the page is, "Rob's The One to serve the people of Rockingham". It is clear from these documents that the Government certainly made a promise to put a rail line in place. A specific route was not mentioned in the Government's election literature, although anyone who has followed this issue knows that its plan was for a railway line through Kenwick. The Liberal Party candidate for Rockingham was very quiet on that issue, but I made sure the people in that area were aware that the Government's plan is for a rail line through Kenwick to Perth in about 20 years from now.

The purpose of this motion is to reconsider the whole concept of this rail line. As I said, the Government's commitment is for a rail line to come off the Armadale line, through Kenwick and down to Jandakot by 2005, which is eight years hence. Two elections will be held before then, so the Government's promise is probably not worth the paper it is written on.

In any event, I acknowledge that the Government has plans for a rail line from Armadale to Jandakot by 2005. In

answer to a question on notice about this rail line the Government indicated that the route was along the existing Armadale line to Kenwick and from Kenwick through the freight railway reservation to the Kwinana Freeway to Jandakot. It will then proceed along the Kwinana Freeway reservation, veering off and accessing Rockingham at some point, and at some point in time. The Government confirmed in the answer to a question on notice that a direct rail service between Fremantle and Rockingham is not planned. It is something the Government should consider.

The south west area transit steering committee study, which was conducted late last decade and early this decade, concluded that a great proportion of people living in the south western corridor require an efficient rail line. In addition they require a rail line which provides intra-corridor transport as well as inter-city transport. The Government's proposal for a rail line through Kenwick to Rockingham is only for inter-city and not intra-corridor transport. The majority of people living in the Rockingham, Mandurah and Kwinana area want to travel within that region and they would like to access Cockburn and Fremantle. Over half of the people surveyed indicated they wanted to access Fremantle as well as Perth.

A plan for a rail line through Fremantle was put forward by the Labor Party before the last election. That plan would ensure that the people living in the south western corridor would be able to access Fremantle and join onto the line that extends to Perth. Therefore, we would kill two birds with one stone: People in the Rockingham area would be able to access Fremantle and Perth in the one journey and vice versa on the return journey. It is obviously the route that would best serve the fastest growing region in Western Australia and the third fastest growing region in Australia.

I implore the Government to reconsider the project it intends to route through Kenwick. It should consider not only the route of the rail line, but also the time frame. The current time frame is for 2005 to Jandakot. According to a cabinet meeting held in 1994 a decision was made that the rail line would reach either Rockingham or Mandurah between 2015 and 2020. I suspect that no-one on the government benches now will be in this Parliament then. Therefore, the Government is planning something which someone else will have to finance.

It is a fallacy that the Government should not borrow to put in place pieces of infrastructure such as a rail line. If a Government adopts a policy of not borrowing for major infrastructure, no infrastructure will be put in place.

The position followed by the newly elected Government in Britain, as part of its policy in government is to enter into substantial borrowings only to finance major infrastructure that will assist future generations.

At a local level, with regard to a railway south, the Government should not be afraid to borrow money to construct the large infrastructure in the Perth metropolitan area in the next 10 to 20 years. That infrastructure will benefit people living in the city for decades and generations to come. If the Government is not prepared to borrow, the infrastructure will not be built within a reasonable time and, in addition, the current generation will pay for infrastructure for the benefit of future generations. That is a concept known as intergenerational justice. There must be a means to build infrastructure in this way. I was half expecting members of the Government to attack me for saying that. When one considers the Fremantle port, the proposed port north of Geraldton, the Bunbury port, the rail system in Perth, and the major freeway system, it can be seen that this concept is well accepted by Governments and has been for centuries. This must be done in order to build the infrastructure that will serve people in the future.

These days people are disillusioned about the fact that Governments appear to be so driven by economic rationalism that they are not prepared to invest in the future. People are turned off by the Thatcherite philosophy which seems to permeate the Federal Government at the moment. They are sick of that and they want major projects to be undertaken that will benefit them and their children. This project will benefit not only this generation but also their children and their children's children.

In the context of the overall greenhouse debate, cities of great beauty, including Sydney and European cities, have efficient and fast rail systems. Perth has a decent rail system, but it is not great because it does not service one major section of the city. It services the strategic regional centres of Joondalup, Midland, Fremantle and Armadale. However, it does not service the south west corridor which is a major section of the Perth metropolitan area.

Ms MacTiernan: It is also a problem that they do not link up.

Mr McGOWAN: Part of the problem is the urban sprawl. I read a statistic indicating that Perth has an urban area close to the size of London, which has between 10 and 12 million inhabitants while Perth has approximately one million. In any event, cities in Europe, and even Sydney, have decent rail systems that provide a service to the people. That is one of the things that adds to the quality of their life. It is one thing lacking for the people in the south west corridor. It is a powerful issue in the south west suburbs, particularly in Rockingham, because the people feel neglected. This is an issue not just of substance but of symbolism, that will make a difference to the people in that area.

I have brought forward this motion so that it can be discussed again and the Government can reconsider the plans

for a railway service through Kenwick and a time frame in the next 20 years. It should be brought to the attention of the Government and the public. I hope the Government treats this issue with an open mind because it is extremely important for the future of our city.

MR THOMAS (Cockburn) [9.45 pm]: I am pleased to have an opportunity to speak in this debate because, like the member for Rockingham, I regard the provision of rail infrastructure to the south west corridor as the single most important issue for that part of the metropolitan area. I congratulate the member for Armadale, the opposition spokesperson on transport matters, for her initiative in bringing this forward to the House. Along with the member for Rockingham, I ask members opposite to consider very seriously the proposal made by the member for Armadale.

I disagree very strongly with the Government's view, but members do not have to accept my position or accept that my beliefs about the route, style, timing and provision of the infrastructure are important in order to support this motion. All members need do is agree that these are important issues that must be considered. At present no proper consideration has been given to them by members of this House. This will be one of the most important decisions to be made by this Parliament in the years to come, and we should get it right. As a whole we should participate in the important decision making on this issue.

I do not wish to repeat the points made by the member for Rockingham, but I wish to say that the south west corridor is structurally quite different from the rest of the metropolitan area. In some ways that is a good thing, but it does not really matter whether members think it is good or bad because it is the case. How is the south west corridor different from the rest of the metropolitan area? It is different because it already has three cities along its route - Fremantle, Rockingham and Mandurah - and there are substantial suburbs in between. The south east, northern and eastern corridors are essentially focused on the central business district of Perth. People go to the CBD for recreation and employment. From the point of view of urban planning and public transport planning, it is an unhealthy situation because the infrastructure is used one way in the morning and another in the afternoon, and is underutilised for the balance of the time. Anyone involved in public transport and urban planning knows that is an unhealthy situation when infrastructure is used for approximately 50 per cent of the time in one direction. It is not an ideal situation. Because that situation is not ideal, this State has gone to enormous lengths in urban planning in the northern corridor to try to change it by creating what is effectively an artificial city at Joondalup. It goes back a long time and the concept was shared by both sides of the House. The Joondalup Development Corporation was created by an earlier Court Government in the late 1970s, and was continued throughout the Labor Government in the 1980s. To this day there is a concerted effort to develop a city in the northern suburbs so that traffic will flow north in the morning as well as south and vice versa in the afternoon. That is how it should be. We do not want a city - an urban conglomeration - in which everything is focused on the central business district and there are no recreational or employment activity centres in other places. It has been difficult.

A large amount of money has been spent on developing Joondalup. A university campus has been created, and government departments and infrastructure are being set up. All sorts of moves are being undertaken to attract activity of an economic and recreational nature to that area. We wish them well as I am sure you do, Mr Acting Speaker, as a person representing some part of that area, as part of the overall wellbeing we wish for the metropolis of Perth.

However, this is where the craziness exists: In the south west corridor there are already three real cities; we do not have to create an artificial city. We already have Fremantle, Rockingham and Mandurah. As the Labor Party found as a result of government studies undertaken in relation to a rail service for the south west corridor, a substantial number of people wish to travel within the corridor whether for employment or recreation, or to visit other people. Projected traffic would flow both ways at all hours of the day. That would be a healthy situation. We should value that prospect. The people of the south west certainly appreciate that potential situation.

In planning the metropolis of Perth in the broader sense, that is something of which we should take advantage. I am trying to think of other parts of the world. One of the advantages of the south west corridor is that not only does it consist of three natural cities that pre-date any conscious decision to create or enhance them, but also for the most part it is along the coast. The preferred place of residence in Perth if people can afford it is close to the sea where Mandurah, Rockingham and Fremantle are located. That adds substantially to our quality of life and there is a tendency for urban development to spread along the coast. When urban sprawl occurs, it can have unhealthy aspects to it. Cities need to be linked. It was therefore recognised by the Labor Government that a high quality, public transport infrastructure was necessary. However, this Government has an absurd proposal to build a railway line which would take people ultimately from Mandurah and Rockingham to the central business district of Perth through Kenwick. The people in my electorate know that I am a very enthusiastic proponent of railway services in the south west corridor and they ask about its planning. Prior to the 1993 election I campaigned in support of a rail service in that area and received strong support from the electorate. I campaigned again, for the 1996 election, on the same issue. When I visit shopping centres and schools people ask me about the proposal for a rail route to the south west

corridor. I say that it is not progressing as fast as I would like, but to give credit where it is due, the Government is making some plans to establish a rail service to the south west corridor.

Prior to that, in the 1993 election campaign, the candidate for one of the seats in the south west corridor said that the child that was going to make the south west railway practical had not been born. He was talking about something happening at least 20 years or 30 years away.

Ms MacTiernan: It sounds as though Hon Eric Charlton embraced that idea!

Mr THOMAS: It is five or six years away, and at least it is planned. The would-be planner who stood against the member for Fremantle in 1993 thought of himself as a bit of a planner and took great delight in disparaging the idea of a rail link.

Mr McGinty: He wanted to shut down the Port of Fremantle too.

Mr THOMAS: We have not heard much of him since the 1993 election. In any event, when people ask me what is happening with the rail issue I say, "To give credit where it is due the Government has moved some way and is engaged in some sort of planning." Then I say that the Government intends to link Rockingham and Mandurah with Perth via Kenwick, not Fremantle. When I say that there is usually a bit of a silence and they ask, "Who wants to go to Kenwick?"

Mr McGowan: Nobody.

Mr THOMAS: No doubt it is a nice place, but it has a rail service and the people in Rockingham and Mandurah do not really want to go to Kenwick. Those who want to go to Perth would prefer to go via Fremantle so that if they wanted to go there rather than Perth they would have that option. When I explain that this Government is planning to put in a rail infrastructure to service part of the south west corridor via Kenwick there is usually disbelief. Then the disbelief turns to anger because it is then realised that a substantial part of the south west corridor, the upper part, which I represent, and that which is represented by my colleague, the member for Fremantle, will miss out altogether. Those people have been asking for years why they should miss out. They have a very good argument because they already have a railway line passing through the area, but no passenger trains run on it. Those people put up with the inconvenience of freight trains running through the area without the convenience of a passenger service. The member for Peel and I were once photographed sitting on this railway line, with no trains running on it, indicating what a terrible situation it was and that a passenger rail service should be put on that line.

When the government plans concerning the rail links are explained to people they show disbelief and then anger. I share their incredulity. I also share their frustration and anger when the time frame is explained. It turns out that by the year 2005 the line will reach Jandakot. The member for Dawesville sitting up the back will probably share the views of the member for Rockingham and will say that that is nowhere near good enough. The amount of time before the railway line will reach Jandakot will cover three state elections. If the rail service reaches Jandakot by the year 2005, still 50 kilometres short of Mandurah, at what rate will it ever reach Mandurah? It will not be in my political lifetime, that of the member for Dawesville or that of the member for Mandurah - who, sadly, has not been here for the debate this evening.

People are angry and frustrated and they find it difficult to believe that a Government could come up with such an absurd proposition. Those are my views; I believe they are correct. Those views are shared by my constituents. However, in order to accept the proposition that my colleague, the member for Armadale, put forward this evening - namely, that a committee be established to examine the Government's proposal - members opposite do not have to agree with my views on this matter; they should simply say that this matter is sufficiently important that the views proposed by the Government should be examined properly by a committee of this Parliament. Given that it is not planned to extend the rail system to Jandakot until 2005, it cannot be said there is an urgency about this proposal. The time line could at least accommodate a proper examination by this Parliament. I have not had the time to deal fully with the issues this motion raises; therefore, I seek leave to continue my remarks on another day.

[Leave granted for speech to be continued.]

Debate thus adjourned.

SELECT COMMITTEE ON CRIME PREVENTION

Motion

MR NICHOLLS (Mandurah) [10.01 pm]: I move -

- (1) That this House appoint a select committee to inquire into and report on programs, practices and community action which have proven effective in -

- (a) reducing or preventing crime and antisocial behaviour at the community level;
 - (b) addressing community and social factors which contribute to crime and antisocial behaviour in the community; and
 - (c) addressing community and antisocial behaviour after it has occurred.
- (2) That the committee also report on methods by which such information may best be accessed by the community.
 - (3) That the committee have power to send for persons and papers, to sit on days over which the House stands adjourned, to move from place to place, to report from time to time, and to confer with any committee of the Legislative Assembly as it thinks appropriate.
 - (4) That the committee finally report on 30 November 1998.

Crime - it is a topic that is constantly in the media. It occurs every day. It is happening right now in various parts of Western Australia. Citizens in this State are at one in their view that we as a Parliament and as a community must do more to address it. Why then does it seem as though nothing is working to stop crime occurring in the first place? Why does the average person feel that little or nothing can be done about it? One of the main reasons is that as a community we are focused on the problems instead of looking for solutions. In many ways we are not even identifying the main problems, but simply reacting to the symptoms that manifest themselves in a variety of ways every day. The best we seem able to do right now is to recycle the same old solutions.

We lock up or fine offenders - or both. Locking up offenders is something we have been doing for well over 100 years; however, prisons seem to be getting fuller without a corresponding decrease in crime. Many people at all levels of our community are rightly saying that surely there is a better way of dealing with the issues of crime that face our community. It is time to ask ourselves whether there are better ways. It is time to ask whether we can move forward positively to reduce the incidence of crime and, therefore, address the fundamental factors that lead people to commit crimes. The purpose of this select committee is to take a fresh look at the issues we face as a community.

Positive actions and programs have been put in place that are reducing the incidence of crime in various parts of the world. My aim is to take the best ideas and learn from them in order to provide guidance and information to the wider community on how it can be involved in addressing successfully these issues at a local level.

World best practice is something to which businesses around the world aspire. The select committee aims to help Western Australia achieve world best practice in preventing or reducing crime and dealing effectively with those who commit crimes. Best practice in this context means programs that address successfully the issues of crime prevention and reduction.

To my knowledge, this will be the first study that seeks to identify the initiatives that have been taken around the world to address on a broad scale issues in relation to crime and antisocial behaviour. More than that, the select committee will seek to identify community based solutions that are having a positive impact on crime. The select committee will focus on these solutions and assess their potential for application in Western Australia.

As a result of my experience as Minister for Community Development and then as Minister for Family and Children's Services I am aware of the mind set that dominated most social services thinking five or six years ago. When I sought to redirect resources from crisis focused programs and services to preventive programs there was a predictable outcry from those who could not see the wood for the trees. Their view was that we could not afford to take any resources from crisis areas because so many people were in crisis. The problem with directing the majority of resources into crisis areas is that we never get on top of the problem. We are continually chasing our tail, too busy picking up the pieces and trying to help people put their lives back together and doing very little to prevent the problem occurring in the first place. Shifting resources from crisis areas into programs that provide skills and education can have a dramatic effect on the problem - although it will not occur overnight. This in turn will have a greater potential to reduce the severity of the problem, or prevent it totally.

There are many similarities between what I have just described and people's current attitude to crime. People are so busy reacting to the current crisis of the day that they are losing sight of the real objective - to become more effective at reducing or preventing crime occurring in the first place. Unfortunately, when the problem is substantially reduced or is prevented, it is often forgotten and no longer attracts our attention. This in turn means we do not become aware of these programs as a general rule and rarely become aware of why they are successful.

Members should ask themselves how many successful programs they know of that are reducing or preventing crime. I would be surprised if anybody could tell me more than a couple, because people have been conditioned to look for only the negatives; to focus their attention on only what is not working. That is what is so different about this select

committee's terms of reference. This select committee will seek to identify programs and services that are effective and that are succeeding in reducing or preventing crime and antisocial behaviour. By identifying these programs and services, we will be able to investigate the factors that contribute to their success.

The first term of reference of the select committee has been divided into three sections to allow the committee to consider the different facets within this complex area. The intent in part 1(a) is to research programs that prevent offending from occurring or that substantially reduce such offending. Of course, if we can find more effective ways of preventing offending from occurring in the first place, not only will we save a substantial amount of money, both within government and in the wider community, but we will enhance the quality of life for every Western Australian.

Under part 1(b) the research will concentrate on the social factors that contribute to offending. I have a strong belief that the family environment has a large influence over our sense of values and, subsequently, over our behaviour. Therefore, by identifying programs and services that are effective in addressing the main social factors that contribute to crime and antisocial behaviour, the committee will seek to identify the reasons they are successful and whether such programs or services have the potential to be utilised in Western Australia.

Under part 1(c) research will be undertaken into programs and services that are effective in addressing behaviour after it has occurred. For the past 200 years we have continued to follow the logic of catching offenders and locking them up - and over the past 200 years offending has continued. I am not suggesting that dangerous criminals should not be kept in detention to protect the public. However, it is time for us to take a fresh look at the options. It is time to take a fresh look at what is actually preventing reoffending in Australia and other countries. Through this committee we will have the opportunity to investigate whether there are any suitable alternatives and whether they are proving effective.

The initial research will form the foundation for the committee's work. Due to the large amount of work involved, I envisage that each of these three areas will be researched separately within the next two to three months. Once this core work has been completed, the committee will identify the programs and services it wishes to investigate in detail and seek to identify the main factors that make them successful. After identifying these factors, the committee will investigate whether there are common or core components that make them effective.

The second term of reference is something that I am not sure has ever been seriously considered by any select committee. Under this term of reference the committee will consider the best option for providing the details of all the programs and services that have been identified as effective and successful. Rather than using the research material only for the committee's work, all the details will be collated and a recommendation will be made to this House regarding the best way to give the wider community access to the information. That will allow valuable knowledge to be accessed by everyone and will provide a database of programs and services that can be adapted for use in all local communities throughout the State. It will be a resource for everyone to use.

Giving people access to this knowledge will enable them to make more informed decisions with a greater chance of success. It will also provide a foundation upon which we can develop more effective programs within Western Australia through greater understanding of why certain programs work and why others fail. More importantly, this information has the potential to empower local communities throughout the State. By identifying potential options that they could implement themselves, and without necessarily relying on government involvement or funding, local communities can develop local options without having to reinvent the wheel. It is often said that knowledge is power - the power to make informed decisions and to better understand the likely outcomes. By giving our community access to this information, in a usable format, we will be providing a very valuable tool.

I am mindful of the negative perceptions directed towards much of the work we undertake as members of Parliament, often coloured by the political point scoring that takes place on a daily basis. Therefore, it is with great satisfaction that I inform the House that both the Premier and the Leader of the Opposition have expressed their support for this committee and its objectives. With a genuine bipartisan approach there is a real opportunity for the committee to make a substantial contribution to our community.

The committee's work and effectiveness will be further enhanced through support from the wider community, including the media. Many people in our community have knowledge gained through experience or research that could assist our work substantially. I am the first to admit that we do not have the answers at present. However, there is no doubt that the proposed select committee will provide an opportunity to identify alternatives that could make a substantial difference to the way in which we approach these issues in the years ahead. I therefore respectfully seek the support of all members of this House for the establishment of this select committee and its objectives.

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [10.15 pm]: I support the motion to establish this select committee. This committee's major task relates back to the lessons I learnt in childhood: My mother taught me that prevention is better than cure. In this case we could say that prevention is better than crime. One of

the committee's major tasks is to focus on positive programs that achieve positive results in preventing crime. Because of the media coverage that continually refers to crime and criminals and the effect of crime, most of us tend to focus on that aspect of crime. We see offenders daily in our local media and we direct our attention to that area. However, we should try to work out why at least 95 per cent of all Australians are not criminals and do not exhibit criminal behaviour - just a few do. We should look at programs and plans and how social interaction prevents people coming into contact with the justice system and the police and, if they do, how to turn them around after one or two brushes with the law. We should be able to gather data that will be of immense value to the local community.

The committee will look at the community level rather than the government level and what programs work at the grassroots level. Programs emanating from the grassroots often work better than government dictated measures. The committee will also consider the social factors that contribute to offending and, more importantly, those factors that prevent people coming into contact with the justice system.

The member for Mandurah said that families and family values could have some influence on whether people turn to crime. This committee will be able to test that theory by concentrating on social factors that are seen to be preventing crime. Once and for all we will establish whether family values have an impact.

The committee will also investigate successful community activities preventing crime and how the community interacts to stop antisocial behaviour. The committee will focus on those who have had one or more brushes with the police or the justice system and what programs are in place in the community. In my role as Parliamentary Secretary assisting the Minister for Justice I have seen many community programs that are achieving significant results. Collating them and trying to make them work more broadly will be of immense benefit and will make Western Australians feel safer.

Crime prevention not based on a model of barricading ourselves in our homes and keeping everything locked up is a refreshing change. We should look at behaviour and attempt to prevent crime in that way rather than by behaving as potential victims. It is very important to know what we can do to prevent people turning to crime.

I welcome the Opposition's support. It behoves all of us as politicians to work together to make Western Australia safer for everyone, and I commend the motion to the House.

MR RIPPER (Belmont - Deputy Leader of the Opposition) [10.18 pm]: The Opposition supports this motion. I could have given part of the member for Mandurah's speech myself when I was Minister for Community Services. However, I did not witness tremendous support from the coalition side of politics for some of the suggestions I put forward about prevention of crime and rehabilitation of offenders in 1991 and 1992. Nevertheless, I welcome what I regard as renewed interest in these issues from members opposite.

Protecting people against crime is a major responsibility for State Governments. Most constituents, and most members of Parliament most of the time, focus on penalties and policing when addressing the issue of crime. Of course, penalties and policing have their role, but they are applied after the crime has been committed and after the victim has suffered. Of course, penalties and policing have a deterrent effect, but that effect often is not as useful as the community and many politicians think it can be.

Penalties and policing are a short term response to the problems of victimisation by criminals. A genuine long term response which protects people for many years from crime comes from effective crime prevention policies. They require both stopping people from getting into criminal activity in the first place and effective rehabilitation programs for those people who have already become involved in offending behaviour. I am interested to see that the select committee proposed by the member for Mandurah will deal with both of these aspects; that is, prevention and rehabilitation programs.

The member for Mandurah reminded us of his work as Minister for Community Services. He spoke about his attempt to shift expenditure on crisis programs to prevention and early intervention programs. I do not want entirely to take the wind out of the sails of the member for Mandurah, but efforts to make this shift did not begin with his tenure in the Community Services portfolio. There were considerable efforts during Labor's period of office to try to make that same shift. It is always difficult because one must continue to provide the funding for the crisis programs at the same time as one seeks to introduce new preventive programs. The investments in the preventive programs do not pay off in year 1; they might not pay off in year 2 or in year 3. The best preventive programs might start to pay off over five or 10 years. Unfortunately for politicians there will be an election intervening before the positive payoff from the investment in preventive programs has been realised. The person presiding over the shift from crisis funding to preventive funding must achieve larger budgets for that period during which the effects of the past lack of investment on prevention must be coped with in term of the crises that must be dealt with while the effects of the new preventive programs have not been realised.

There are difficulties. It is not only the community that must be convinced to be patient and wait for the impact of

the new investment in preventive programs, but also one's parliamentary colleagues, in particular those parliamentary colleagues responsible for allocating finance. Treasurers and Premiers must be convinced that they should fund both the crisis programs and preventive programs until the process is over the hump and the preventive programs have started to take effect and there is the chance to wind back the spending on crisis programs. We need to develop patience in the Parliament and community by informing them about the potential effectiveness of preventive programs. That will give these programs the chance that they need to succeed. I hope that the proposed select committee will have the effect of educating both the Parliament and the community about what can be done in prevention and rehabilitation. We very much need in this community a much broader and more fundamental debate about crime than the standard debates we have had.

This State has had a history of dealing with crime mainly through a focus on penalties and policing. For about 15 years this Parliament has been regularly increasing penalties for a variety of offences. This State has the highest imprisonment rate in the country, apart from the Northern Territory. We have a very high juvenile detention rate, and particularly high rates of imprisonment of Aboriginal adults and juveniles. For more than 15 years the Parliament has increased penalties and the courts have imposed significantly greater penalties on more people than courts in other jurisdictions. That is shown by the fact that we have higher imprisonment rates, yet most of our constituents would say that we are not solving the crime problem and we must do more. When they say that they have in mind yet higher penalties and more imprisonment.

We know that we have been doing that for 15 years and probably longer and we are not achieving the result that we want to achieve. I am not arguing that we should forget about penalties and policing. They have a very important role in dealing with criminal activity. However, our focus on penalties and policing needs to be buttressed with the sort of investigation about which the member for Mandurah is talking. I hope, as a result of that investigation and the greater information that the community and the Parliament have, there will be more investment in preventive and rehabilitation programs. I am convinced that a greater investment will produce a strong possibility of much better protection of our constituents from crime than our current narrow focus on penalties and policing is producing.

MR BROWN (Bassendean) [10.26 pm]: I will make a few comments on the proposal before the House in the hope that some of these matters will be taken up by the committee in its examination. About two years ago a number of us in this place attended what was a fairly elaborate crime prevention seminar in this State that was sponsored by the State Government and attended, as I recollect, by over 150 delegates. That seminar and its working sessions were addressed by various criminologists and other people of considerable qualifications. The then Attorney General addressed the seminar, as I did as the then shadow Minister for Justice.

A number of themes came out of that seminar which appear to have been lost since that time but with which people at the seminar - I thought across the political spectrum - agreed. I hope that any examination that is now to take place might have a greater chance of picking up some of the recommendations coming out of its report than has been the case in relation to that seminar and some of the views that were echoed there.

It was an interesting seminar because it dealt with the issue of crime prevention. In the crime prevention debate there are two opposing views. There are those people who believe that crime prevention is best achieved by what is called target hardening. That is, we do not seek to socially intervene to try to change the behaviour of individuals but rather we try to make the targets of potential crime more difficult to penetrate. A significant argument in the crime prevention industry exists about target hardening as opposed to social programs. The target hardening debate falls down because criminologists recognise that when we target harden we get displacement. By that I mean if we make banks difficult to rob - as they are now - we get displacement, where those people who would engage in that activity move to a softer target. They move to service stations, delicatessens and restaurants because the banks are too difficult because of delayed action doors, cameras and security guards. If we harden those other targets it will shift again and we will see bag snatching, homes being robbed and other things.

Although the target hardening side of the debate has some logic, it is not possible to have fortress Australia, to have a situation where all people can put into their premises, both their car and home, alarm systems and security locks on windows and doors. That is quite a negative way to go. It is particularly concerning because it is discriminatory against low income earners. These people cannot afford the elaborate equipment that must go into houses to protect their goods and property, as meagre as they might be. They cannot afford elaborate car alarms or the other devices that provide a level of protection. Therefore, we must have a social policy, a policy which says that we will seek to intervene socially in these issues, not in a coercive way in which the criminal justice system operates, but in a social way, as soon as they arise.

We must put in place preventive programs. One of those programs relates to truancy in schools. We can talk to principals to find out what happens in schools. If a child in year 1 starts to be a truant and nothing is done about it, and no comprehensive program is in place to deal with it, that child will fall behind. When that child reaches year 3, he is way behind. At that stage the child will be laughed at by the other children and ostracised. When this child

is 11 or 12 years of age, he will have left school. He has effectively dropped out and is not participating. Unless other factors come into play, that child will go to only one place; that is, he will be in trouble within the criminal justice system. The issues of truancy, of putting in place appropriate programs in schools, of overcoming problems where children fall behind at school, and of allocating additional resources to schools so that children do not fall behind or drop out or transgress in these other areas are important.

The committee has a wide mandate because we are dealing with not only state programs that must be coherent - state programs are not coherent - but also commonwealth programs that impact on this area. The decision of the Commonwealth, mentioned by the member for Belmont earlier this week, to cut off the priority schools program is an example. These schools need additional funds to service the students who are at risk, and the Commonwealth will stop funding to those schools. Do members understand the logic of that? I do not. This will involve not only state responsibilities, but also commonwealth responsibilities. I hope the committee looks at those issues.

Another thing came out of the crime prevention policy, which appears to have been lost - the need for a coherent policy. It is no good having one policy pursued by the Education Department, another by the Ministry of Justice and still another by the Police Department without taking an overall coherent look at what is happening in the lives of children who are at risk. Various Ministers are looking at the level of expenditure for their department. Sometimes they are very quick to flick off programs that do not fall quickly within their areas of responsibility so that they can have more money to allocate to glitzy projects.

I will tell members about a program that operated in Midland. This program worked with a dozen school refusers - that is, the 13 and 14 year olds who are no longer going to school - to try to get them into jobs or back into education. Its success rate was between 70 per cent and 75 per cent. It measured its success rate in this way: After six months from when the school refuser came to the program, if he or she finished the program or was in education or in employment, it was considered a success. That program was funded for a short while by the State. Eventually it lost its funding, and I will tell members why. Those running the program went to the Minister for Education and told him that it was a great program and asked him to fund it.

The Minister said that he would not fund it because it was not an education program and that these children were not in school any more. The people who ran the program then went to the Ministry of Justice and said that that department should fund the program. Once again, they were told that that department would not fund that program because not all the children in the program had been in trouble. Those who were running the program then went to the Department of Training and told the department that these children would finish up in employment and required exemption certificates so that they could find work. The department told them that it would not fund the program because the children were under the age to obtain employment.

This is a great program which is working, which is keeping children out of trouble, which has a success rate of between 70 per cent and 75 per cent. The coordinator of the program runs it on a shoestring, is paid extraordinarily low wages - not much above the minimum wage - is working in lousy conditions and is highly dedicated to the task; yet the program cannot get funding. There is no coherent approach. No-one is focusing on what these children need. Each Minister is concentrating on his or her bailiwick saying, "If we can hack off that bit of the expenditure, it will give us a bit more money to allocate somewhere else." Instead of arguing among themselves, those Ministers should be saying that it is in the public interest to allocate money for that program and that it must be found from somewhere. I think the committee will have some interesting debates about that issue, about a coherent policy in this area and about looking at it across ministerial portfolios. I hope the committee has some success. When we have talked about this issue before, that is all that has happened - it has been talked about, and talked about, and recommended, but never resolved to the point where Ministers cooperated.

Another issue relates to the direction of resources. Currently the Government has a cadet program, and I am very happy with it. Many of the children in that program are children who would be directed into being scouts, cubs, brownies, guides, sea scouts or whatever. Many of them, but not all, are model children. We must also look at the need for funding for children with attention deficit disorder, and the relationship between children with ADD and crime. Let us look at the value systems here. Are we using the dollars correctly in these things? I have raised this issue with the Minister for Youth on many occasions. He says that all too often we are focusing on the negatives. I will just say this: When we have enough dollars to deal with all of the children at risk in all of those areas, we should then look at providing money for all of the other things. I realise there is not enough money. I am not saying it is all bad; I am simply saying that it is a question of value systems and where the dollars are being allocated.

As I was saying, another issue relates to the Commonwealth. I touched on the priority schools program. Let us take the great commonwealth decision that is coming into place next year. This is a good decision! From next year all children who leave school before they complete year 12 will not receive any benefits. This will do a lot to assist the 16 and 17 year olds who can no longer stand it at school! They do not have the IQ or the academic capacity to complete year 12. They leave school and they are told that they will not get an income from the Commonwealth, they

will get it from their parents. That is pretty good if the parents happen to be middle class or can afford it. What about those parents who cannot afford that? What will happen in those families? What tensions will occur in those families? It is a disgrace.

Yesterday the federal Minister for Employment, Education, Training and Youth Affairs came out with a new vocational education program. He said on radio that his new idea is not that all these kids who cannot get a job will go to university or take an apprenticeship, but that they will learn to cook at McDonald's. This is his big breakthrough! I have nothing against McDonald's as a company, but if we think that our problems will be solved by having kids who are struggling learn how to cook at McDonald's, and if the federal Education Minister thinks that is great vocational training, I do not know where Australia will be in three or four years.

I hope this committee can turn around the mind of the federal Education Minister. There are certainly some major problems with the new social welfare policies for young people and with the cost cutting measures that have been taken by the Commonwealth. For example, commonwealth police and surveillance services in Western Australia have been cut, and the Premier has complained in the media that those cutbacks will allow a greater amount of drugs to be brought into Western Australia.

This committee will have a huge mandate. In addition, the professional opinion on this issue is divided. There is no single view about how to deal with this matter. Therefore, if this committee is serious, it will require significant resources. I do not know how much money the Government has set aside for this committee or whether the member for Mandurah has spoken to everyone to whom he needs to speak to get the money for the committee, and I do not know what professional expertise will be available for the committee. However, I can tell members one thing: There is no shortage of literature or opinions on this issue, and if the committee is to do its job properly, it will need to recruit some very wise and astute research officers with lots of experience, and in some areas it will be quite difficult for the committee to reach agreement, because no single professional opinion is the "right" opinion, as I am sure the committee will find out.

A number of years ago, I visited Canada and spent about eight to 10 days with the National Crime Prevention Council. I met with a range of experts in that country and with a range of non-government organisations that were working with young people and adults at risk. I was particularly impressed with a range of things that the Canadians are doing. One of the things that really impressed me about a number of youth groups and non-government organisations that received government funding was the interaction between academic institutions and those groups. Many of those non-government groups had on them professors or senior people in criminology or social programs, so the field workers would work with the young people at the coalface and develop the ideas, and the professionals would help them to put those ideas into formal models which could be measured and assessed. In that way, a bank of ideas was built up that could be drawn upon by various organisations.

It will be important for the committee to look at a range of issues: For example, the statistics about job insecurity in the work force and the impact of job insecurity on families and kids; what is happening in the work force with extended working hours and the amount of time that families can spend with young people; what young people who do get into trouble say about family life and what that means; and the compensation that injured workers receive and what happens to their children. The committee will need to look at these matters through clear eyes.

This complex social issue will not be determined by looking at this issue narrowly. The committee will need to look at this issue broadly, because one thing interacts with another. I wish the committee well. It will need a lot of patience and wisdom, and it will be interesting to see whether all the members manage to agree at the end of the day. If the committee came out with a set of recommendations that was implemented by the Government of the day and that led to one child or young person not transgressing and injuring others and living a meaningful life, the committee's work would have been worthwhile.

MR NICHOLLS (Mandurah) [10.48 pm]: I thank members for their contribution and support. I hope that all members of this House will contribute their thoughts and suggestions to assist the committee in its work. I clarify for the benefit of the member for Morley that the terms of reference will focus on programs and services that are deemed to be successful rather than on policy. I hope and trust that the committee will work in a cooperative way, and I expect that we will be able to provide solutions, or at least alternatives, to the community of Western Australia so that people will be able to achieve a better quality of life, not only people who offend but also people who are innocent victims.

Question put and passed.

Appointment of Select Committee

On motion by Mr Nicholls, resolved -

That the following members be appointed to serve on the select committee: The member for Mandurah (Mr Nicholls), the member for Belmont (Mr Ripper), the member for Midland (Mrs Roberts), the member for Mitchell (Mr Barron-Sullivan) and the member for Swan Hills (Mrs van de Klashorst).

BILLS (4) - RECEIPT AND FIRST READING

1. Family Court Bill.

2. Acts Amendment and Repeal (Family Court) Bill.

Bills received from the Council; and, on motions by Mrs van de Klashorst (Parliamentary Secretary), read a first time.

3. Western Australian Coastal Shipping Commission Amendment Bill.

4. Juries Amendment Bill.

Bills received from the Council; and, on motions by Mr Cowan (Deputy Premier), read a first time.

House adjourned at 10.52 pm

QUESTIONS ON NOTICE

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

AGRICULTURE - RUMINANT ANIMALS

Feeding - Departmental Policy

1766. Dr CONSTABLE to the Minister for Primary Industry:

- (1) Is it still Agriculture Western Australia's policy that feeding of ruminant material to ruminant animals be prohibited under national uniform legislation?
- (2) If yes to (1) above, what progress has been made in implementing that policy?
- (3) What is the policy of Agriculture Western Australia regarding the feeding of non-ruminant animal protein to ruminant animals?
- (4) Is there a risk of disease through the ingestion by ruminant animals of non-ruminant animal protein?

Mr HOUSE replied:

- (1) Yes.
- (2) There has been a voluntary ban by industry in place since May 1996. Regulations enforcing the ban under the *Veterinary Preparations and Animal Feeding Stuffs Act* came into force on 10 June 1997.
- (3) At present it is policy to allow the feeding of non-ruminant protein to ruminant animals, although consultation is continuing at a national level on broadening the ban to include all mammalian protein, with exemptions for porcine and equine protein. This will bring Australia in line with USA regulations which is advantageous for trade reasons.
- (4) I am advised that there is not seen to be any disease risk through the ingestion by ruminant animals of rendered non-ruminant animal protein in the Australian situation.

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Value and Terms

1826. Mr BROWN to the Minister for Primary Industry; Fisheries:

- (1) What functions or services has each department or government agency under the Minister's control contracted out since 1993, stating -
 - (a) the date;
 - (b) the amount;
 - (c) the recipient;
 - (d) whether the recipient was Western Australian, Australian or foreign; and
 - (e) the term of the contract,
 for contracts worth the following amounts -
 - (i) more than \$100 000;
 - (ii) between \$50 000 and \$100 000;
 - (iii) between \$10 000 and \$50 000;
 - (iv) between \$1 000 and \$10 000?
- (2) What functions or services are being planned or intended to be contracted out by each department or government agency under the Minister's control during the current term of government, stating -
 - (a) the approximate date it will take place;
 - (b) the amount;
 - (c) the recipient;
 - (d) whether the recipient is Western Australian, Australian or foreign; and
 - (e) the term of the contract,
 for contracts worth the following amounts -
 - (i) more than \$100 000;
 - (ii) between \$50 000 and \$100 000;

- (iii) between \$10 000 and \$50 000;
- (iv) between \$1 000 and \$10 000?

Mr HOUSE replied:

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

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

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Value and Terms

1827. Mr BROWN to the Minister for the Environment; Employment and Training:

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

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

for contracts worth the following amounts -

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

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

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

for contracts worth the following amounts -

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

Mrs EDWARDES replied:

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

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

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Value and Terms

1833. Mr BROWN to the Minister for Health:

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

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

for contracts worth the following amounts -

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

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

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

for contracts worth the following amounts -

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

Mr PRINCE replied:

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

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

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Value and Terms

1837. Mr BROWN to the Minister representing the Minister for Mines:

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

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

for contracts worth the following amounts -

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

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

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

for contracts worth the following amounts -

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

Mr BARNETT replied:

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

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

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Value and Terms

1842. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

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

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

for contracts worth the following amounts -

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

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

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

for contracts worth the following amounts -

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

Mr BRADSHAW replied:

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

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

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Value and Terms

1844. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

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

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

for contracts worth the following amounts -

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

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

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

for contracts worth the following amounts -

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

Mr MARSHALL replied:

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

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

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

STATE FINANCE - STATE BANK

Loan to Octennial Holdings

1888. Dr EDWARDS to the Treasurer:

- (1) Did the State Bank make a loan to the co-developer Octennial Holdings, at Minim Cove, Mosman Park?
- (2) If so, on what security did the State Bank hold?
- (3) Is it usual for banks to loan money on contaminated sites?
- (4) Does the bank still have ongoing exposure on these loans?
- (5) Was the bank directed to accept this loan proposal or was this standard banking process?
- (6) Was the bank onsolid with this potential liability and if so were potential investors notified of this unusual exposure?

Mr COURT replied:

To answer this question I would need access to information which discloses the identity or affairs of a person who is, or has been, a customer of the Bank of Western Australia Ltd at least prior to its privatisation. The Bank of Western Australia Act 1990 (section 41) clearly provides that I am not entitled to such information.

GOVERNMENT INSTRUMENTALITIES - INDEMNITIES

Nature and Extent of Liability

2035. Mr KOBELKE to the Minister for Primary Industry; Fisheries:

- (1) Have any agencies or departments for which the Minister is responsible offered any form of indemnity or remain liable under any indemnity?
- (2) If any such indemnity has been offered then -
 - (a) to whom has it been extended;

- (b) what is the reason for the indemnity;
- (c) what is the maximum potential liability that could be called on through this indemnity?

Mr HOUSE replied:

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

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

- (c) incidental to another function, such as the purchase of a good or service (for example a contract where the purchaser indemnifies the supplier of software against any unauthorised use of that software or a contract for advertising where the advertiser indemnifies the publisher against legal action arising out of the publication of the advertisement) or,
- (d) granted to persons or officers in the performance of their duties for the State or for any public authority or public body of the State (some of which are statutory). All Statutory Indemnities, Guarantees and Sureties which are either (c) or (d) are excluded from the operation of Treasurer's Instruction 821 (TI 821).

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

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

GOVERNMENT INSTRUMENTALITIES - INDEMNITIES

Nature and Extent of Liability

2036. Mr KOBELKE to the Minister for the Environment; Employment and Training:

- (1) Have any agencies or departments for which the Minister is responsible offered any form of indemnity or remain liable under any indemnity?
- (2) If any such indemnity has been offered then -
 - (a) to whom has it been extended;
 - (b) what is the reason for the indemnity;
 - (c) what is the maximum potential liability that could be called on through this indemnity?

Mrs EDWARDES replied:

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

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

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

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

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

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

GOVERNMENT INSTRUMENTALITIES - INDEMNITIES

Nature and Extent of Liability

2042. Mr KOBELKE to the Minister for Health:

- (1) Have any agencies or departments for which the Minister is responsible offered any form of indemnity or remain liable under any indemnity?
- (2) If any such indemnity has been offered then -
 - (a) to whom has it been extended;
 - (b) what is the reason for the indemnity;
 - (c) what is the maximum potential liability that could be called on through this indemnity?

Mr PRINCE replied:

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

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

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

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

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

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

GOVERNMENT INSTRUMENTALITIES - INDEMNITIES

Nature and Extent of Liability

2044. Mr KOBELKE to the Minister for Works; Services; Multicultural and Ethnic Affairs; Youth:

- (1) Have any agencies or departments for which the Minister is responsible offered any form of indemnity or remain liable under any indemnity?
- (2) If any such indemnity has been offered then -
 - (a) to whom has it been extended;
 - (b) what is the reason for the indemnity;
 - (c) what is the maximum potential liability that could be called on through this indemnity?

Mr BOARD replied:

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

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

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

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

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

GOVERNMENT INSTRUMENTALITIES - INDEMNITIES

Nature and Extent of Liability

2046. Mr KOBELKE to the Minister representing the Minister for Mines:

- (1) Have any agencies or departments for which the Minister is responsible offered any form of indemnity or remain liable under any indemnity?
- (2) If any such indemnity has been offered then -
 - (a) to whom has it been extended;
 - (b) what is the reason for the indemnity;
 - (c) what is the maximum potential liability that could be called on through this indemnity?

Mr BARNETT replied:

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

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

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

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

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

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

GOVERNMENT INSTRUMENTALITIES - INDEMNITIES

Nature and Extent of Liability

2051. Mr KOBELKE to the Parliamentary Secretary to the Minister for Tourism:

- (1) Have any agencies or departments for which the Minister is responsible offered any form of indemnity or remain liable under any indemnity?
- (2) If any such indemnity has been offered then -
 - (a) to whom has it been extended;
 - (b) what is the reason for the indemnity;
 - (c) what is the maximum potential liability that could be called on through this indemnity?

Mr BRADSHAW replied:

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

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

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

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

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

GOVERNMENT INSTRUMENTALITIES - INDEMNITIES

Nature and Extent of Liability

2053. Mr KOBELKE to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Have any agencies or departments for which the Minister is responsible offered any form of indemnity or remain liable under any indemnity?
- (2) If any such indemnity has been offered then -
 - (a) to whom has it been extended;

- (b) what is the reason for the indemnity;
- (c) what is the maximum potential liability that could be called on through this indemnity?

Mr MARSHALL replied:

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

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

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

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

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

ENVIRONMENT - POINT PERON

Cliffs Survey

2113. Mr McGOWAN to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Are the cliffs at Point Peron a danger to Rockingham residents?
- (2) Has the Government surveyed these cliffs to determine if they impose a danger in a similar way to the cliffs at Gracetown?
- (3) Will the Government be taking any steps to guard against this danger?
- (4) If not, why not?

Mr MARSHALL replied:

- (1) Not to my knowledge.
- (2) Yes. The Recreation Camps and Reserve Board that has responsibility for the Cape Peron Reserve has been proactive in this area. It has recently engaged a consultant who has assessed the Cape Peron Reserve and as a result measures have been taken to make the cliff area safe.
- (3) Yes. It already has undertaken some action. The measures mentioned above have included felling some limestone formations and also erecting suitable signage.

- (4) Not applicable.

FAIR TRADING - MOTOR VEHICLE REPAIR INDUSTRY

Licensing of Trades People and Workshops

2118. Mr BROWN to the Minister for Fair Trading:

- (1) Has the Government decided to introduce legislation or regulations which require the licensing or registration of trades people and workshops in the motor vehicle repair industry?
- (2) Is this matter under consideration?
- (3) Is the Government waiting on any further information or a report/s before making a decision on this matter?
- (4) What report or information does the Government need before making a decision?
- (5) When is it envisaged that such report/s or information will be provided?
- (6) Will any licensing or registration system have, as one of its key components, the objective of lowering the level of motor vehicle emissions?
- (7) If not, why not?

Mr SHAVE replied:

- (1) No.
- (2) Yes.
- (3)-(7) A final report from the Motor Vehicle Repair Industry Review Committee is expected shortly.

ENVIRONMENT - URBAN AREAS

Clearing of Remnant Vegetation - Applications

2126. Dr EDWARDS to the Minister for Primary Industry:

- (1) Can the Commissioner for Soil and Land Conservation consider applications for clearing remnant vegetation in urban areas?
- (2) Have any notifications been received?
- (3) What was the outcome of these?

Mr HOUSE replied:

- (1) Yes. The Soil and Land Conservation Regulation for clearing controls applies to all land including non-rural land. However, the Soil and Land Conservation Act allows for controls on land degradation grounds only, not nature conservation. Urban settlement is not normally degrading in the context of urban land use, and there is no prospect of future changes in land use where it could be considered land degradation. It would be a rare occasion where control on land degradation is required.
- (2) No.
- (3) Not applicable.

FORESTS AND FORESTRY - KINGSTON FOREST BLOCK

Logging

2132. Dr EDWARDS to the Minister for the Environment:

- (1) In the Kingston forest block, what are the compartments that have been logged, and when?
- (2) In each compartment, what are the forest areas (in ha) which have been -
 - (a) clearfelled;
 - (b) thinned; and
 - (c) left unlogged, relative to the total area of each compartment (in ha)?
- (3) What is the volume of timber removed from each compartment for -

- (a) sawlogs;
(b) woodchips?
- (4) Which compartments, or sections of compartments, of Kingston forest block are still planned for logging, and when?
- (5) Would the Minister table the Department of Conservation and Land Management's (CALM) Interim Report, dated 1996, and any subsequent reports, on the research project entitled: "A proposed integrated study of the effects of timber harvesting on the jarrah forest ecosystem" in the Kingston block and adjacent forests?
- (6) When did CALM start fox baiting in -
(a) Kingston block;
(b) adjacent forest blocks?
- (7) What was the frequency of fox baiting?
- (8) Has CALM monitored fox abundance -
(a) prior and during the study; and
(b) prior and during fox baiting?
- (9) If yes, what was the methodology used?
- (10) Has fox predation on threatened mammals been measured -
(a) before and during the study; and
(b) in the logged and control areas?
- (11) Have numbers, abundance and breeding success of the following threatened species been measured -
(a) before and during study;
(b) before and during fox baiting;
(c) for the numbat, chuditch, quenda, ringtail possum, brush-tailed phascogale, western brush wallaby, woylie and brushtail possum?
- (12) Have numbers, density and breeding success for the forest red-tailed black cockatoos and Baudin's cockatoos been measured in the Kingston study?
- (13) Have the experimental controls that have been retained for the purpose of the Kingston study and surrounding forest blocks been harvested?
- (14) If yes, in which compartments?
- (15) What was the purpose of leaving no habitat trees in some treatments part of the Kingston study?

Mrs EDWARDES replied:

(1),(3)	Coupe	Year of Harvest	Quantity of wood removed			
			Sawlog	Chip	Firewood	Other
	Kingston 1	1994	2,068t	6,435t		
	Kingston 1	1995	2,443t	6,826t	104t	
	Kingston 2	1996	2,633t 84m ³	9,900t	323t	1t
	Kingston 3	1995	5,250t 499m ³	14,497t	283t	
	Kingston 3	1997	178t	508t		
	Kingston 4	1997	1,824t	11,079t	297t	61t
	Kingston 5	1995	355t 2,260m ³	8,859t	71t	5m ³ 6m ³

- (2) To 30 June 1997.

"Clearfelled" taken to mean gap treatment
"Thinning" taken to mean shelterwood treatment

Coupe	Area harvested (hectares)		Thinned	Unlogged	Total area
	Gap	Shelterwood			
Kingston 1	237			743	980
Kingston 2	31	122		491	644

- | | | | | | |
|--|------------|-----|-----|-----|-----|
| | Kingston 3 | 88 | 202 | 592 | 882 |
| | Kingston 4 | 106 | 23 | 709 | 838 |
| | Kingston 5 | 86 | 93 | 759 | 938 |
- (4) Kingston 6 Approximately 150 hectares in 1998
Kingston 7 Approximately 100 hectares in 1998
- (5) The 1996 Interim Report is the only report on the results of the Kingston Study available at present. [See paper No 771.]
- (6) Fox baiting commenced in Kingston and the adjacent Warrup and Winnejup blocks in June 1993.
- (7) Four times a year.
- (8) Fox abundance is being measured in the baited Kingston block and in the nearby unbaited Alco and Yornup blocks. Fox abundance was not assessed before the study commenced.
- (9) The methodology used consists of counting the frequency of visits to sandpads where a non-toxic bait has been buried. Sandpads are set at 500m intervals in line transects up to 5km in length.
- (10) Fox predation on some of the threatened mammals has been measured during the study in logged and control areas.
- (11) Numbers, abundance and breeding success of Chuditch, Quenda, Ringtail Possum, Brushtailed Phascogale, Woylie and Brushtail Possum are being measured during the study.
- (12)-(13) No.
- (14) Not applicable.
- (15) The purpose of leaving no habitat trees in some treatments was to assess the value of habitat trees. The abundance of Brushtail Possums and other mammals in coupes where habitat trees have been deliberately removed is being compared to those where habitat trees have been retained, and in unlogged controls.

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - TRANSLOCATION POLICY

Mallee Fowl

2138. Dr EDWARDS to the Minister for the Environment:

- (1) Will the Minister confirm whether the Department of Conservation and Land Management (CALM) removed the eggs of wild mallee fowl in the Geraldton region with the intention of hatching the fowl and releasing them onto the Peron Peninsula?
- (2) If so, why would CALM relocate mallee fowl to an area where there exists a serious problem with feral cats?
- (3) Why would CALM relocate mallee fowl to an area where there already exist substantial numbers of the birds?
- (4) Can CALM provide any assurances that the mallee chicks, once released, would not be captured by feral cats?
- (5) What has this project cost to date?
- (6) What is the expected final cost of the project?

Mrs EDWARDES replied:

- (1) Mallee Fowl eggs were removed from near Binnu, north-east of Geraldton. The eggs were hatched in an incubator and the birds will be released on the Peron Peninsula.
- (2) A serious feral cat problem does not exist on Peron Peninsula. Cat control has reduced cat numbers by approximately 80%. In the published literature, cats are not a significant predator of Mallee Fowl.
- (3) There are no known resident Mallee Fowl on Peron Peninsula. A sighting of an itinerant bird occurred in 1995. No breeding has been recorded in at least 50 years.
- (4) See answer to (2). Feral cats are not considered to be a significant problem in the establishment of a Mallee Fowl population on Peron Peninsula.

- (5) The total cost to date of Project Eden is \$ 918,216.
- (6) This project is expected to cost about \$1.5 million over 5 years.

HOSPITALS - WANNEROO

Rates Determination

2157. Mr McGOWAN to the Minister for Local Government:

- (1) How are the rates of the Health Care of Australia Hospital in Wanneroo determined?
- (2) Is the proportion of this hospital accepting public patients exempted from the valuation of the hospital for determining rates?
- (3) If so, why?
- (4) Under what provision of the Local Government Act 1995 is this done?

Mr OMODEI replied:

- (1) The City of Wanneroo advises that it has no rating record of the "Health Care of Australia Hospital". However, the existing Wanneroo Hospital is currently being refurbished and renamed the Joondalup Health Care Campus. I assume that you are referring to this Hospital.
- (2) It is understood that the Joondalup Health Care Hospital will be operating as a normal public hospital. This portion will not be rated. However, portion of the building will be set aside for private consulting rooms. These arrangements have not yet been finalised. The City is currently making enquiries with the Hospital administration on the matter. Once the leases have been determined the City proposes to obtain valuations with the intent of rating the private consulting rooms.
- (3) Section 6.26 of the Local Government Act provides that land that is the property of the Crown and used for a public purpose is not rateable. Accordingly, public hospitals are not rated.
- (4) Section 6.26.

GOVERNMENT INSTRUMENTALITIES - NORTH-WEST

Employees and Programs

2185. Mr GRAHAM to the Minister for Primary Industry; Fisheries:

- (1) What departmental staff in departments under the Minister's control are located in the following towns -
 - (a) Port Hedland;
 - (b) South Hedland;
 - (c) Tom Price;
 - (d) Paraburdoo;
 - (e) Telfer;
 - (f) Marble Bar;
 - (g) Nullagine;
 - (h) Karratha;
 - (i) Halls Creek;
 - (j) Wiluna;
 - (k) Dampier;
 - (l) Roebourne;
 - (m) Wickham?
- (2) What are the classifications of those staff?
- (3) What programs are currently being funded in the towns listed in (1) above, in the departments under the Minister's control?

Mr HOUSE replied:

Fisheries Department:

- (1) Fisheries officers are located in the following areas:

(a) Port Hedland	One Fisheries Officer
(b) South Hedland	Nil

(c)	Tom Price	Nil
(d)	Paraburdoo	Nil
(e)	Telfer	Nil
(f)	Marble Bar	Nil
(g)	Nullagine	Nil
(h)	Karratha	Three Fisheries Officers
(i)	Halls Creek	Nil
(j)	Wiluna	Nil
(k)	Dampier	Nil
(l)	Roebourne	Nil
(m)	Wickham	Nil

- (2) The classifications of the Fisheries Officers located in these offices are:

Port Hedland	-	Level 2
Karratha	-	Level 3
	-	Level 2 (two officers)

- (3) The programs currently being funded in these towns are:

Recreational fishing
 Pearling
 Commercial fisheries
 Fish Habitat and Protection

Agriculture Western Australia:

(1)-(2)	(a)	Port Hedland	3(2xLevel 2) (1xLevel 1)
	(b)	South Hedland	Nil
	(c)	Tom Price	Nil
	(d)	Paraburdoo	Nil
	(e)	Telfer	Nil
	(f)	Marble Bar	1(1xLevel 2)
	(g)	Nullagine	Nil
	(h)	Karratha	11(2xLevel 1) (2xLevel 2) (2xLevel 2/4) (2xLevel 3) (1xLevel 4) (1xLevel 5) (1xLevel 6)
	(i)	Halls Creek	1(1xLevel 2)
	(j)	Wiluna	Nil
	(k)	Dampier	Nil
	(l)	Roebourne	Nil
	(m)	Wickham	Nil

- (3) Resource Protection Programs are currently being funded in Port Hedland, Marble Bar, Halls Creek and Karratha. Karratha also deals with Meat Programs and Sustainable Rural Development Programs.

GOVERNMENT INSTRUMENTALITIES - NORTH-WEST

Employees and Programs

2192. Mr GRAHAM to the Minister for Health:

- (1) What departmental staff in departments under the Minister's control are located in the following towns -

(a)	Port Hedland;
(b)	South Hedland;
(c)	Tom Price;
(d)	Paraburdoo;
(e)	Telfer;
(f)	Marble Bar;
(g)	Nullagine;
(h)	Karratha;
(i)	Halls Creek;
(j)	Wiluna;
(k)	Dampier;
(l)	Roebourne;
(m)	Wickham?

- (2) What are the classifications of those staff?
- (3) What programs are currently being funded in the towns listed in (1) above, in the departments under the Minister's control?

Mr PRINCE replied:

- | | | | | |
|-----|-----|-----------------------------------------|-------|---|
| (1) | (a) | Medical | 12 | |
| | | Nursing | 104 | |
| | | Hotel Services | 73 | |
| | | Administration | 38 | |
| | | Maintenance | 17 | |
| | | Allied Health | 15 | |
| | (b) | Medical | 2 | |
| | | Nursing | 8 | |
| | | Hotel Services | 4 | |
| | | Administration | 11 | |
| | | Health Workers | 7 | |
| | (c) | Nursing | 12.49 | |
| | | Administration | 3.85 | |
| | | Medical Support | 1.74 | |
| | | Hotel | 8.32 | |
| | | Community Health | 3.63 | |
| | (d) | Nursing | 9.54 | |
| | | Administration | 1.46 | |
| | | Medical Support | 0.18 | |
| | | Hotel | 5.03 | |
| | | Maintenance | 0.75 | |
| | | Community Health | 1.5 | |
| | (e) | Nil. | | |
| | (f) | Registered Remote Area Nurse | | 1 |
| | (g) | Community Health Nurse | | 1 |
| | (h) | Nursing | 31.93 | |
| | | Administration | 19.76 | |
| | | Medical Support | 15.12 | |
| | | Hotel | 18.86 | |
| | | Maintenance | 5.2 | |
| | | Community Health | 9.27 | |
| | (i) | Nursing | 4 | |
| | | Administration | 5 | |
| | | Medical Support | 1 | |
| | | Hotel | 2 | |
| | | Community Health | 1 | |
| | (j) | Nursing | 2 | |
| | (k) | Not applicable - Private Medical Centre | | |
| | (l) | Nursing | 13.96 | |
| | | Administration | 1.99 | |
| | | Hotel | 5.74 | |
| | | Maintenance | 3.04 | |
| | | Community Health | 4.6 | |
| | (m) | Nursing | 15.23 | |
| | | Administration | 1 | |
| | | Hotel | 6.97 | |
| | | Maintenance | 2.03 | |
| | | Community Health | 0.9 | |
- (2) Nursing, Administration, Hotel Services, Maintenance and Community Health.
- (3) Hospital and Community Health programs eg, Accident & Emergency, Surgical, Maternity, Primary Care, Paediatrics, Nursing Home, Diabetes, Nutrition, Health promotion, Sexual health, communicable diseases.

GOVERNMENT INSTRUMENTALITIES - PILBARA REGIONAL OFFICE

Location and Staff

2207. Mr GRAHAM to the Minister for Primary Industry; Fisheries:

- (1) In which town is the Pilbara Regional Office of each department under the Minister's control?
- (2) How long has the regional office been in that town?
- (3) Where was the previous location of the regional office?
- (4) How many people are employed in the regional office?

Mr HOUSE replied:

Fisheries Department:

- (1) The Northern Regional office is located in Broome and covers both the Kimberley and Pilbara regions. There is also a District Fisheries Office in Broome.
- (2) Twenty-two months.
- (3) Prior to regionalisation, the management of the Pilbara Region was carried out in Perth.
- (4) Three. There are nine staff stationed in the District Office - Three are funded by the Commonwealth as Australian Fishing Zone Officers.

Agriculture Western Australia:

- (1) The Carnarvon office is the Regional Centre for the Pilbara. There are also offices in Karratha and South Hedland.
- (2)-(3) Not applicable.
- (4) Eleven officers are located at Karratha and four at South Hedland.

GOVERNMENT INSTRUMENTALITIES - PILBARA REGIONAL OFFICE

Location and Staff

2214. Mr GRAHAM to the Minister for Health:

- (1) In which town is the Pilbara Regional Office of each department under the Minister's control?
- (2) How long has the regional office been in that town?
- (3) Where was the previous location of the regional office?
- (4) How many people are employed in the regional office?

Mr PRINCE replied:

- (1) (a) The Office of West Pilbara Health Service is located in Karratha.
(b) The Office of East Pilbara Health Service is located in Port Hedland.
- (2) (a)-(b) Since 1994.
- (3) (a) Port Hedland.
(b) Not applicable.
- (4) (a)-(b) 6.

GOVERNMENT INSTRUMENTALITIES - OCCUPATIONS AND PROFESSIONS

Registered or Licensed

2258. Dr CONSTABLE to the Minister for Primary Industry; Fisheries:

Which occupations and professions operate in Western Australia under a system of registration or licensing administered by an agency within the Minister's portfolio?

Mr HOUSE replied:

Fisheries Department:

Under the *Fish Resources Management Act 1994* and the *Pearling Act 1990* the following occupations are licensed:

- Commercial fishermen
- Fish processors
- Aquaculturalists
- Pearlers
- Pearl oyster hatchery operators
- Pearl Boat Masters
- Pearl Divers

Dairy Industry Authority:

Dairy Farmers and Milk Processors.

Meat Industry Authority:

The Authority approves persons or companies to:
operate abattoirs;
to manufacture devices for the purposes of applying ink to carcasses to describe the type of carcass;
and
Livestock Agents to operate at Midland Saleyards.

Agriculture Western Australia:

The following occupations and professions are required to be registered or licensed under various Acts administered by Agriculture Western Australia:
Veterinarians;
Veterinary Nurses;
Aerial Sprayers;
Artificial Breeders;
Bee Keepers.

QUESTIONS WITHOUT NOTICE

NATIONAL PARTY - INDUSTRIAL DEVELOPMENT POLICY

Oakajee Industrial Estate

696. Dr GALLOP to the Deputy Premier:

I refer to the Deputy Premier's response yesterday to my question on the National Party's attitude to the Oakajee development and ask -

- (1) Will the Deputy Premier acknowledge that the National Party is opposed to the location of a steel mill at Oakajee?
- (2) Will he also acknowledge that coalition disunity on this issue is undermining the success of this project?

Mr COWAN replied:

- (1)-(2) I do not have to acknowledge that because it is not the case. I have always made it very clear to the Leader of the Opposition but obviously he, like a number of his colleagues, seems to suffer from a hearing affliction. I will repeat it. When Kingstream Resources NL first applied for planning approval to produce steel slab in Geraldton, it sought to do so for between 700 000 and 750 000 tonnes of slab. When it joined with An Feng, that rate of production increased to 5 million tonnes for a combination of steel slab and pellet. At that time it was realised that the industrial land at Narngulu was not suitable for production of that volume.

Dr Gallop: Realised by whom?

Mr COWAN: By the company.

Dr Gallop: No it was not. If that is the case, why did the company come to the Opposition the day you announced you wanted to shift to Oakajee protesting about the move? You misled this Parliament yesterday. You deliberately misled this Parliament yesterday.

Mr COWAN: It is a strange thing, but that very same company came to the Government and said Narngulu would not be suitable, given the fact that it wanted to increase production to 5 million tonnes per annum. The Leader of the Opposition should check his facts because the fact of the matter is that the company sought -

Dr Gallop: No it did not. The Government made it shift.

Mr COWAN: When it entered into an arrangement with An Feng, the company sought to relocate. There is no question about that.

Dr Gallop: That is not what it told the Opposition and that is not what it is saying publicly.

Mr COWAN: I can assure the Leader of the Opposition that that is not what it is saying publicly. The company has made it quite clear that it needs to go to Oakajee because it believes - I am not sure that this is correct, but I will not dispute it with Kingstream - that if the plant were close to the port, it would obviate the need to pay for the high cost of transporting the slab from the mill to the port. It was at the instigation of Kingstream, much as the Leader of the Opposition would like to say otherwise, that it was decided to relocate to Oakajee because of the projected increases in the tonnages that would be produced.

HEALTH - NURSES

Psychiatric - South West

697. Mr BRADSHAW to the Minister for Health:

- (1) Is the Minister aware of the chronic shortage of psychiatric nurses in the south west?
- (2) If yes, are there any plans to overcome this shortage?

Mr PRINCE replied:

I thank the member for the question and for some notice of it.

- (1)-(2) The shortage of psychiatric nurses in Bunbury and surrounding districts has been of concern to me and to the mental health division of the Health Department for some time. Professor George Lipton, who heads that department, has in place a work force committee that is addressing the shortage of mental health nurses not only in that area but statewide. There has been a chronic shortage of mental health nurses for some years. Some strategies are in place to try to manage the problem and to improve the situation, which relates largely to training. It is a very specialised area, to which it appears few people are called and for which few people are suitable. Subject to funding approval, the South West Mental Health Service plans to employ a community mental health nurse based in the Wellington health district and a level 3 mental health and triage nurse based in the Bunbury health district, and funding will be in place for that. However, whether we will receive suitable, appropriately qualified applicants has yet to be determined.

FUEL AND ENERGY - GAS

Kingstream Project - Infrastructure Costs

698. Mr GRILL to the Premier:

I have a question about the Kingstream steel mill and I am a bit intrigued about whether I should direct it to the Deputy Premier or the Premier, because the Premier indicated a moment ago that he would be prepared to take questions on the subject. Did I hear the Premier correctly?

Mr Court: Try me!

Mr GRILL: As it is approaching one year since the Government agreed to pick up nearly \$400m of infrastructure costs for the Kingstream steel mill, I ask -

- (1) Can the Premier indicate from where the money for this infrastructure will come and what provision the Government has made in its accounts for this project?
- (2) Does the Premier concede that the stated timetable for company funding and government approvals under the agreement has now slipped somewhat?

- (3) Is the Premier concerned that the State Government's inability to determine the source of the Government's share of funding, together with this latest proposal for a further \$70m to upgrade transport links to the existing Geraldton port, may undermine the company's attempts to obtain equity and debt financing for this critically important project?

Mr COURT replied:

I thank the member for some notice of this question.

- (1)-(3) The question was addressed to the wrong Minister. The point I was about to make to the Leader of the Opposition is that I have withdrawn myself from Cabinet decisions with regard to this matter. With regard to the financing of the infrastructure, I have not heard of figures to the extent that the member is talking about. As the member knows, one of the options being considered is for it to be a privately funded facility.

Mr Grill: The figure of \$400m was used by your Minister for Resources Development in this place.

Mr COURT: The Minister for Resources Development has been involved directly in these negotiations and is the appropriate Minister to talk to. The Deputy Premier will confirm that the amount of support being provided was raised by the Chinese when the Deputy Premier was in China two weeks ago, and a figure similar to the one that the member quoted was mentioned; however, the Deputy Premier corrected that and explained that that was not the case.

Mr Grill: That is the figure used by your own Minister in this place.

Mr COURT: I just said that one of the preferred options for establishing a port is that the private sector build and fund that facility. However, I suggest the member ask the question of the Minister for Resources Development.

Mr Grill: Are you aware he has gone to the Federal Government for part of the funding?

Mr COURT: If the member wants an answer he should put the question on notice and I will pass it to the appropriate department for response.

Mr Grill: This is a critical project; you should know how it will be funded.

KEEP AUSTRALIA BEAUTIFUL COUNCIL - FUNDING

699. Mrs HODSON-THOMAS to the Minister for Local Government:

- (1) Does the Keep Australia Beautiful Council, Western Australian division come under the control and partial funding of the Department of Local Government?
- (2) If yes, who provides approval for the contract work to be carried out by the agency?
- (3) If no, who has responsibility for accountability of the overall operation of the Keep Australia Beautiful Council, Western Australian division?

Mr OMODEI replied:

I thank the member for some notice of this question.

- (1)-(3) The ministerial responsibility for the Litter Act, under which the Keep Australia Beautiful Council is constituted, lies with the Minister for Local Government. The State Government provides funding of \$189 000 from the consolidated fund for the operative costs of the KABC. Its funding is included in the annual budget of the Department of Local Government.

FAMILY AND CHILDREN'S SERVICES - MIDLAND OFFICE

Inquiry

700. Ms ANWYL to the Minister for Family and Children's Services:

I refer to the Minister's answer to my question yesterday regarding the appalling situation in the Midland office of the Department of Family and Children's Services and ask -

- (1) What are the matters being examined by the independent inquiry?
- (2) Who is conducting the inquiry and when will it be completed?
- (3) What action is being taken in the meantime to address the under-resourcing of the Midland office which is preventing the staff from undertaking duties in a competent and professional manner?

- (4) Will the Minister table the list of unallocated cases supplied to the regional director on a regular basis by the Midland staff?

Mrs PARKER replied:

I thank the member for some notice of this question.

- (1)-(4) The inquiry being established by the director general is a full and independent inquiry. It will conclude in about a month.

Ms Anwyl: Who is conducting it?

Mrs PARKER: The member for Kalgoorlie should just be quiet. Terry Simpson, Executive Director of the Ministry of Justice and former Assistant Director of Family and Children's Services, is leading the inquiry and Mrs Christine Harmon, former director of Wanslea, is assisting him. The matters being inquired into are the processes and responses by the Midland office to particular cases. The support available to the Midland office is the same as that which is available to any office. A memorandum from the Director General of the Department of Family and Children's Services in April 1995 directed that when district office staff come under pressure with a backlog of cases they should contact their regional director who will ensure that the situation will be addressed using the resources available.

Ms Anwyl: They did that; they sent regular facsimiles listing unallocated cases and no response was made.

Mrs PARKER: They are able to contact the regional director. Until this case there has not been a response. I understand that a request has been made since that time. The department will respond out of a pool -

Ms Anwyl: Have you read the memo?

Mrs PARKER: Yes, I read it weeks ago.

Ms Anwyl: The Midland staff claim that for years they have been sending lists of unallocated cases to the regional director.

Mrs PARKER: The memo is unsigned. There is no record of request to the regional director according to this memo which has the same status as an administrative request.

Ms Anwyl: Are you saying that there are no unallocated cases?

Mrs PARKER: No; I am saying that no formal request was made until the time of the inquiry. The inquiry will be concluded in about a month. Does the member for Kalgoorlie think it is appropriate that the report of that inquiry -

The SPEAKER: Order, Minister.

Several members interjected.

Mrs PARKER: Does the member want me to table the report?

The SPEAKER: Order! Has the Minister finished her answer!

NATIVE TITLE LEGISLATION - FEDERAL OPPOSITION'S POSITION

701. Mr MINSON to the Premier:

Is the Premier aware of what will be the impact on the Western Australian resource industry if the position adopted by the Federal Opposition over the Native Title Amendment Bill 1997 is adopted in the legislation?

Mr COURT replied:

A week or so ago in Federal Parliament a motion was moved by Gareth Evans relating to the second reading of the Native Title Amendment Bill. Part 7 of the motion is broken into 10 subsections which in effect would gut the effect of the amendments to that legislation.

Several members interjected.

Mr COURT: I want to run through the changes, the first of which relates to titles issued between the commencement of the Native Title Act and the Wik decision and states that the validation should not be undertaken. If that occurs a number of projects that have started would be at risk of invalidity.

Several members interjected.

Mr COURT: This is completely at odds with the position put forward by the Opposition when the legislation was proclaimed, when an assurance was given that pastoral leases had extinguished native title.

Mr Thomas: That is not true.

Mr COURT: It is true. It is on the public record, and at an appropriate time I will read out the names and the number of times it was stated that that was the case.

Several members interjected.

Mr COURT: The second point is that the proposed amendments confirm the common law position that exclusive tenure has extinguished native title. The effect of the changes promoted by the Labor Party will be that if we fail to provide in the legislation for that to occur, in Western Australia the perpetual war service leases and the conditional purchase leases would still be subject to claim, and the leaseholders would have to defend those claims. I do not hear any noise from members opposite now saying that that is their position!

Several members interjected.

The SPEAKER: Order!

Mr COURT: The draft closes on Friday -

Mr Thomas: You will not be in it!

Mr COURT: No, but there might be a few transfers being offered on the other side! If members opposite want to support that position and tell people with leases that they do not support the amendments, so be it, but I have not heard one word from state members saying that that is their position.

The third point is that the changes would prevent pastoralists from carrying out non-pastoral activities which are often vital for their survival. The fourth point is that the proposal put forward would lead to public works and facilities, such as schools, hospitals and roads, being exposed to native title claims. Under these amendments those infrastructure items are predominantly on freehold titles held by the Crown -

Several members interjected.

Mr COURT: They are claimable under the current arrangements and the amendments would mean they are not claimable.

The SPEAKER: Order! Members, I am allowing several interjections when they are constructive and when they add to the debate. Many members from both sides of the Parliament are interjecting. I ask members to cut it down.

Mr COURT: I must list these points because they are critical. The other point is the changes to the right to negotiate on leasehold properties. Members opposite say this amounts to extinguishment. It is not extinguishment. All it means is that native title holders would be treated in the same way as pastoral lessees. These are all very simple points and they are the main reason the current legislation is unworkable.

Members opposite oppose the registration test that is being put forward. That is the reason so many ambit and multiple claims have been made under the current legislation. Currently there are 24 claims on the Murrin Murrin project. How can we make things happen if that number of claims has been made?

Mr Grill: You are wrong; it is 27.

Mr COURT: I am sorry, I am wrong; it is 27. The point is that under current legislation 82 per cent of Western Australia is under claim. That legislation is unworkable. Opposition members sold out the State in 1993 when they supported the Keating legislation and it is about time they made their position public as to what they will do with the current amendments.

POLICE - BUNBURY

Budget Cut

702. Mrs ROBERTS to the Minister for Police:

- (1) Has a \$200 000 cut been made in the operational budget of the Police Service for the Bunbury district?
- (2) If yes, is this a response to a fall in crime levels in the Bunbury district? If so, which crimes have diminished so significantly as to warrant such a cut?

Mr DAY replied:

- (1)-(2) I have explained to the House in the past that the Government provides the Police Service with a substantial level of funding. That funding has increased from \$240m in the last year of the Labor Government to almost \$400m a year at present. That is an increase well above the rate of inflation and it reflects the high priority this Government places on the provision of adequate police services in this State. It is up to the Commissioner of Police and his senior management team to determine how those funds are allocated to the various districts, stations and squads. If there has been any reduction in the Bunbury district, that has occurred as a result of that management process within the Police Service. I have discussed the situation in the Bunbury district with the Commissioner of Police and he has assured me that if a response is needed to any incident, that response will be provided. Members have seen a good example of that in just the past couple of weeks when a substantial presence was provided by the Police Service in response to the large bokie gathering in the Busselton area. Police officers were brought in from many other areas, including the independent patrol group and others from the crime operations division in the metropolitan area. The outcome as a result of that substantial effort was outstanding. The situation there was managed in a competent manner. That is exactly how things will operate in the future. There is no crisis in funding to the Bunbury district or anywhere else.

POLICE - BUNBURY

Budget Cut

703. Mrs ROBERTS to the Minister for Police:

As a supplementary question I ask: Does the Minister know whether a \$200 000 cut has been made to the Bunbury region, and does he care?

The SPEAKER: I will allow the supplementary question, but I note that the member added a second question.

Mr DAY replied:

I have read the same newspaper article as no doubt the member for Midland has read.

SCHOOLS - HIGH

Clarkson Community - Asthma Friendly School Guidelines

704. Mr MacLEAN to the Acting Minister for Education:

Today the Acting Minister was allowed to enter the glorious northern suburbs to launch a program at Clarkson Community High School dealing with asthma in schools. Will he outline this program to the House?

Ms MacTiernan: Is there a poster and badge?

Mr BOARD replied:

In fact, there is a poster. I thank the member for Wanneroo for the question. The Asthma Foundation, in conjunction with the Education Department, the Association of Independent Schools and the Catholic Education Commission, today launched, during Asthma Week, the "Asthma Friendly School Guidelines". This has been an important development in state and independent schools in Western Australia. This significant program has been worked up over 12 months. One in seven young people in Western Australian high schools and one in four primary schoolchildren have asthma, which is a significant disability for those young people. The guidelines were developed to help those young people through their schooling, and to assist teachers to cope with young people experiencing asthma attacks at school. The Asthma Foundation and the WA school system should be congratulated for this initiative, as should the Clarkson Community High School which was one of the four schools which trialled the program. The school system regards the initiative to be very important and 150 schools already have indicated agreement to adopt the guidelines. I understand that a meeting on the measure to be held tonight at Perth Modern School will be attended by 118 schools from the metropolitan region. I congratulate the Asthma Foundation and the school system in Western Australia for these guidelines.

NURSING HOMES - FEDERAL GOVERNMENT'S FEES

Minister's Support

705. Ms WARNOCK to the Minister for Seniors:

I refer to the Federal Government's recently imposed nursing home fees.

- (1) Does the Minister support the payment of these fees?
- (2) If not, what precisely is the Minister doing to try to change the Federal Government's policy on this issue?
- (3) Will the Minister join the Opposition in making a bipartisan approach to the Federal Government to have these fees removed?

Mrs PARKER replied:

I thank the member for Perth for the question. Nursing home funding in Western Australia and such matters are the responsibility of the Minister for Health, to whom I suggest the member refers the questions.

Several members interjected.

The SPEAKER: Order!

DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS - INDEMNITY

Tabling

706. Mr BARRON-SULLIVAN to the Minister for Labour Relations:

As the Opposition has attempted to make a political issue of the indemnity given by the Department of Productivity and Labour Relations to television stations, does the Minister intend to make public any further information about this indemnity?

Mr KIERATH replied:

I thank the member for the question.

For much of the two weeks that Parliament sat prior to the recent recess, the member for Nollamara tried to thrash himself into some sort of indignant rage about the alleged indemnity by the department. He quoted selectively from a number of documents; in fact, I think he went further and misrepresented them, but I have started to realise that such action is par for the course with the member.

I have decided to table all the indemnity documents so the whole world can see all the papers associated with the matter. When looking at the papers, people will see a huge chasm between the member's version of the truth and the actual truth. Indeed, there was no huge exposure to legal costs or a cover-up. The only dramatic effort in this episode has been the member's: If he enrolled at the Western Australian Academy of Performing Arts, he would be given an A for such a performance.

I have sent a copy of this information to *The West Australian*, and I will make it available to any other interested media outlet. When most people see the papers, they will realise that they are of very little interest. The member's efforts were one monumental beat-up. I seek leave to table the documents.

Leave granted. [See paper No 772.]

MR NEIL BARTHOLOMAEUS - REPORT

707. Ms MacTIERNAN to the Premier:

Some notice of this question has been given.

In November 1996, the Premier ordered an investigation into the conduct of WorkSafe Commissioner Neil Bartholomaeus, who allegedly attacked the Opposition for moving to disallow certain regulations.

- (1) What were the conclusions and recommendations of the subsequent report produced by the Public Sector Management Office?
- (2) Will the Premier now table that report and, if not, why not?

Mr COURT replied:

Did the member give notice of that question today? I have not received it.

Ms MacTiernan: I believe that notice was given. However, the Premier is well aware of the issue.

Mr COURT: I have not been given notice of that question this week, but I will provide a response today.

TRANSPORT - BUS

*Private Operators - Maintenance Payments***708. Ms MacTIERNAN to the Minister representing the Minister for Transport:**

Someone in the Opposition office is about to be sacked!

Several members interjected.

Ms MacTIERNAN: I have a note here that notice was given at 11.10 am today.

Last night the Minister for Transport acknowledged that the Government had paid private bus operators \$2m for maintenance over and above the \$2m paid under the warranties provided for in their contracts.

- (1) Can the Minister confirm that included in that sum were payments to eastern states contractors who were flown to Western Australia to perform the maintenance work?
- (2) If yes, can the Minister advise how much was spent on -
 - (a) airfares;
 - (b) hotels; and
 - (c) wages and allowances?

Mr OMODEI replied:

I can confirm that notice of this question was given at 11.10 am today. The Minister for Transport has provided the following response -

- (1) The Government owns the bus fleet and therefore is obliged to carry out certain refurbishment and maintenance over and above that which is required by all contractors. Therefore, the member should acknowledge that all costs are relevant to ensuring the fleet is well maintained and operates in a safe manner while keeping a high standard of presentation.

Ms MacTiernan: Answer the question, Minister.

Mr OMODEI: Mr Speaker, may I answer the question?

The SPEAKER: The Minister is giving his answer.

Mr OMODEI: The member would be best served by obtaining the relevant facts from the Minister for Transport before making misleading and inaccurate statements. In some cases the cheapest means of doing the maintenance and refurbishment after obtaining suitable quotes was to have it done by the contractors operating the buses. This included payments to both Western Australian and eastern states contractors.

- (2) Of the \$2m spent on this program, the total cost of the eastern states contractors was \$55 503. The work was completed at an hourly rate of \$45, and materials, airfares, accommodation and so on were found by the contractors. The remaining \$1.95m was expended on work performed by local contractors.

POLICE - STATIONS

*Gosnells - Construction***709. Mrs HOLMES to the Minister for Works:**

The new Gosnells Police Station will be very much welcomed by constituents in my electorate when it opens.

- (1) What is the status of work on the project?
- (2) When is it likely to be operational?
- (3) How much of the work is being done by small business operators in the southern suburbs area?

Mr BOARD replied:

- (1)-(3) This is another successful contract in which the Department of Contract and Management Services has been able to work with government agencies and the private sector to deliver an excellent return to the taxpayers - in this case, constructing a building that will serve the community particularly well. I know the member is very keen to see the police station completed. The contract was let in August this year to Southdown

Construction Co Pty Ltd and the project is on schedule. It will be completed and operational by March next year. It is probably a little early to provide precise figures in respect of subcontracting. However, generally speaking, with contracts of this size, about 80 per cent of the work goes to the smaller subcontractors, particularly local subcontractors. Of the \$180m that CAMS spent on capital works last year, \$150m was subcontracted to small business and much of that was in the region in which the construction was taking place.

This year the department is trialling a new process incorporating a quality based system for design by architects. That is leading to the submission of more lateral designs and that is being well received by the architects. Given that scenario, I believe we will achieve a very good return. Hopefully, like many other projects, this will come in under budget.

NURSING HOMES - FEDERAL GOVERNMENT'S FEES

Minister's Support

710. Ms WARNOCK to the Minister for Health:

Some notice of this question has been given.

- (1) Does the Minister support the federal nursing home fees recently introduced by the Federal Government?
- (2) If not, what is he doing to change the Federal Government's mind?
- (3) Will the Minister consider supporting the Opposition in a bipartisan effort to persuade the Federal Government to change this policy?

Mr PRINCE replied:

I thank the member for that short notice.

- (1)-(3) Yes, the State Government does support the measure, but with some conditions.

Mr McGinty interjected.

Mr PRINCE: This is my area.

A huge backlog of capital requirements has developed in the nursing home industry and an enormous amount of infrastructure must be refurbished. It is also anticipated that demand will increase dramatically, particularly in the next 20 years. This program is intended to generate a capital base.

Mr Thomas interjected.

The SPEAKER: Order! I formally call the member for Cockburn to order for the first time.

Mr PRINCE: It is -

Mr Thomas interjected.

The SPEAKER: I formally call the member for Cockburn to order for the second time.

Mr PRINCE: - an extension of the program that has existed for years with regard to aged care hostels. People have been required to pay to enter almost all hostels for many years and this is almost an exact transfer of that requirement. Other modifications have been made; for example, having one set of assessments for both, and that is a very good idea.

The difficulty we have in this State is that this will lead to an increase in capital, hence a betterment of infrastructure over a period. However, it will not address the small nursing homes in country areas, particularly those in the agricultural belt where there is little ability to find the extra capital. The Commonwealth has set aside \$10m for the whole of Australia for places such as that. That is plainly not enough and that is one of the issues I took up with my federal colleague Hon Judi Moylan when she was Minister, and I intend to take it up with Hon Warwick Smith, who now has responsibility in this area. That is a critical need. Otherwise, the program should work; it is very good. It does not involve the family home, the accommodation bond is paid over a number of years and it is refundable when the person leaves the nursing home. This measure is almost the same as that which has applied to hostels. I do not have a problem with it as a matter of principle, but members on this side have expressed concern about some issues and they are currently the subject of negotiations.