



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
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LEGISLATIVE ASSEMBLY

Tuesday, 9 September 1997

Legislative Assembly

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

MOTION - CONDOLENCE

Diana, Princess of Wales

MR COURT (Nedlands - Premier) [2.03 pm]: I move -

We, the members of the Legislative Assembly in the Parliament of the State of Western Australia, having received with profound sorrow the news of the death of Diana, Princess of Wales, take this, the earliest opportunity of expressing our deepest sympathy to the members of the Royal Family and the Spencer family, as we share in their grief and mourning.

During the past week we have seen the world shocked by the death of Diana, Princess of Wales. Not only in Britain but around the world people have mourned the passing of a woman who truly touched the hearts of millions of people. We have all witnessed the outpouring of emotion. Modern communications have enabled us to watch live the funeral which took place last Saturday. People were deeply saddened by the tragic death of a young woman aged only 36 years. We have all been left with many images. They may be of the sea of flowers that we saw outside Kensington Palace; men, women and children who were openly weeping at the death of their princess; Prince Charles holding the hand of Prince Harry as he bent to read a message of sympathy; or the young princes when they were walking behind the gun carriage as their mother was taken to Westminster Abbey. The tributes have flowed and she has been described as many things; as the "Queen of Hearts", the people's princess, a princess for the nineties. Since she entered public life as a 19 year old princess to be, she has made an incredible impact around the world. Many Western Australians will remember her visit to this State in 1983 as do I as a new member of Parliament. We saw a wonderful new member of the royal family with refreshing beauty and spontaneous, natural reaction among the ordinary men and women in not only this country but also in many others.

She made an impact upon the public mind. She personified the spirit of her age. She attacked the walls of prejudice in a number of different areas and she was in every sense of the word an active, contemporary princess.

However, like many people in the royal family she lived her life in a fish bowl with the public always looking in. Many of us are able to work through our personal issues privately. That was not the case for her and her every action was scrutinised and reported on. That must have had her living under incredible pressure. However, through all of this she remained an inspiration to millions. We will long remember those moving scenes of the work she did with the disadvantaged in many walks of life, the victims of land mines, the victims of AIDS and the many other causes for which she worked so hard. She spread a message of hope and that was why millions of people lined the streets of London and watched on television to pay their last respects.

There is possibly no better epitaph to Princess Diana than the one she said of herself recently when she said, "Nothing gives me more happiness than trying to help the most vulnerable people in society. This is an essential part of my life; my destiny."

The life of Diana, Princess of Wales, has tragically been cut short and I am sure that this House regrets her passing and shares the grief of her loved ones, particularly her sons, Prince William and Prince Harry. She will long be remembered.

DR GALLOP (Victoria Park - Leader of the Opposition) [2.07 pm]: The Labor Party also mourns the passing of Diana, Princess of Wales. We feel for her family and their loss, particularly her two sons, Prince William and Prince Harry. It will be a difficult road for them without their mother, but they will have learned much from the public's response in the past week that will stand them in good stead in the future.

Diana attracted the personal support of people from all over the world, including Australia, for reasons that are important to recall. Firstly, she managed to survive and overcome personal adversity, a troubled childhood, severe eating disorders and an unsuccessful marriage. She spoke of these things openly and with understanding for those with similar problems. Secondly, she recognised the importance of compassion, of crossing the artificial boundaries of prejudice to reach out and to comfort people in need of support. Her work for the Leprosy Mission and the National AIDS Trust made a significant mark as did her latest support for the Red Cross campaign to ban land mines which saw her enter the world of international politics, but from the perspective of people rather than nations or states. Thirdly, she kept her dignity and composure in the face of continual harassment and invasions of her privacy

by the media and occasional and savage attacks on her by sections of the British establishment. Thus she became the people's princess, a recipient of much love and affection in life and a source of grief and mourning on a grand and unprecedented scale in death.

Some may say that the impact of her life and death have been so profound that the very institutions by which Great Britain is governed will change forever. That of course is a matter for the British people and their Parliament. However, the public reaction to her death must surely have taught us all that behind all human institutions of power lies the ultimately sovereign power of opinion and reputation. There is a difference between power and authority, and we forget it at our peril.

Let us today remember Diana for her essential humanity, her love for her children, and the way she fulfilled her public duties with such compassion and instinctive understanding of the emotional needs of others and of the good causes that she championed. Vulnerable to the pressures of life yet strong enough to overcome them, she led a good and constructive life from which we can learn much.

MR COWAN (Merredin - Deputy Premier) [2.11 pm]: The National Party joins with the Premier and Leader of the Liberal Party, and with the Leader of the Opposition and Leader of the Labor Party, in supporting this condolence motion. On behalf of the National Party, I echo the sentiments of the Premier and the Leader of the Opposition.

There is no doubt that Diana, Princess of Wales not only won the support of her blood family, as it was termed by Earl Spencer, but also captured the imagination of the world, as evidenced by the huge support that her funeral received. As a consequence of Diana's work, the world will change, particularly for those who are suffering or oppressed in any way, shape or form, and that will be a good thing. Diana's memory will live on for a long time through her work and through her children.

Question passed, members standing.

The **SPEAKER**: I remind members that the Governor's condolence book is placed in the dining room and is available for signing for the balance of the day's sitting.

PETITION - ALINTAGAS

Assistance for Low Income Earners

MR KOBELKE (Nollamara) [2.13 pm]: I present the following petition -

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

We, the undersigned call for AlintaGas to establish a scheme of rebates or discounts for senior citizens, pensioners and other low income earners.

AlintaGas is alone among the public utilities in not providing some form of assistance for low income earners and the elderly and we call on them to display greater social responsibility in conducting its business affairs.

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

The petition bears 45 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

The **SPEAKER**: I direct that the petition be brought to the Table of the House.

[See petition No 85.]

PETITION - CANAL ROCKS FOOTBRIDGE

Replacement

MR MASTERS (Vasse) [2.14 pm]: I present the following petition -

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

We, the undersigned, urge the Department of Conservation and Land Management to urgently replace the Canal Rocks footbridge so that local residents and visitors can continue to enjoy the fishing and sightseeing opportunities provided by the bridge.

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

The petition bears 569 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 86.]

PETITION - FREMANTLE ROCKINGHAM INDUSTRIAL AREA REGIONAL STRATEGY

MR THOMAS (Cockburn) [2.15 pm]: I present the following petition -

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

We the undersigned residents of Western Australia request that you terminate the Fremantle-Rockingham Industrial Area Regional Study immediately because the Steering Committee is unrepresentative of the area and has demonstrated a lack of concern for the welfare of the residents and the environment of the district.

We request that the Government return to the implementation of the Kwinana Regional Strategy of 1988 instead of the FRIARS approach.

Your petitioners as in duty bound will ever pray.

The petition bears 272 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 88.]

PETITION - POLICE ACADEMY

Location at Joondalup

MR BAKER (Joondalup) [2.16 pm]: I present the following petition -

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

We, the undersigned, hereby respectfully urge that the proposed new WA Police Academy be located in Joondalup. Joondalup has excellent tertiary education, health, transport, retail business, civic and recreational facilities and such relocation would also greatly improve local employment prospects, particularly for our youth.

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

The petition bears 145 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 87.]

APPROPRIATION (CONSOLIDATED FUND) BILL (No 4)

Standing Orders Suspension

MR BARNETT (Cottesloe - Leader of the House) [2.17 pm]: I move, without notice -

That so much of standing orders be suspended as is necessary to enable the Appropriation (Consolidated Fund) Bill (No 4) to be introduced without notice and forthwith taken to the stage that the second reading is moved.

It is the Government's intention to progress this legislation as quickly as possible. We would like to proceed with the second reading today and for the debate on the Bill to be no later than next Tuesday. If the Opposition agrees, we would like that to happen this Thursday. The legislation relates to the recent High Court ruling on excise collections and it is necessary to put this legislation in place so that the funds can be passed to Main Roads, the Department of Transport and fuel companies and the liquor industry, as part of the commonwealth safety net arrangement.

Question put and passed with an absolute majority.

Introduction and First Reading

Bill introduced, on motion by Mr Court (Treasurer), and read a first time.

Second Reading

MR COURT (Nedlands - Treasurer) [2.18 pm]: I move -

That the Bill be now read a second time.

This Bill seeks to appropriate out of the consolidated fund the sum of \$355.966m for recurrent purposes to be undertaken for the period 5 August 1997 to 30 June 1998 as detailed in schedule 1 of the Bill.

The purpose of this Bill is to provide funding for activities associated with the State's response to the High Court decision in the Ha and Hammond case which invalidated state business franchise fees on tobacco and cast sufficient doubt on the validity of franchise fees on fuel and liquor for all States to have little choice but to stop collecting them. The Bill is essentially a machinery Bill and provides a funding mechanism to pass on revenues collected by the Commonwealth on behalf of Western Australia under the agreed "safety net arrangements" which operate with effect from immediately after the High Court decision on 5 August 1997.

By way of background, the safety net arrangements negotiated with the Commonwealth involve the replacement of state franchise fees on tobacco, fuel and liquor with increases in the federal excises on tobacco and fuel, and the federal sales tax on liquor. The additional revenue raised by the Commonwealth is to be distributed between the States primarily on the basis of shares calculated by the Commonwealth Grants Commission.

Complexities arise under the safety net arrangements because of the different tax bases, tax rates and timing arrangements for the Commonwealth taxes compared with the state franchise fees. In relation to tax bases, the major issues are that the federal fuel excise applies to diesel fuel used for off-road purposes, which was previously exempt from state fuel franchise fees, and the federal sales tax applies to cellar door wine sales, which were previously exempt from state liquor franchise fees. Western Australia will provide subsidies to the fuel companies and wine producers in respect of these products to effectively maintain the tax exemptions that applied prior to the High Court decision. There will be sufficient money in Western Australia's share of the safety net revenues to accommodate these subsidies without unduly affecting the State's budget position.

In relation to the tax rates, the major issues are that the federal excise increase on petrol of 8.1¢ per litre is less than the previous Western Australian franchise fee rate of 9.67¢ per litre, while the federal excise increase on tobacco is higher than the previous state franchise fees on tobacco. To maintain Western Australia's overall budgetary position, including revenue available for roads expenditure, the State will apply surplus revenues from tobacco to offset reduced revenues from fuel. One outcome is that petrol prices in Western Australia have dropped by around 1.6¢ per litre. Tobacco prices may increase, but for a variety of reasons any such increases are now expected to be minor. The federal sales tax increase on liquor also significantly exceeds the previous concessional state franchise fee on low alcohol products. However, a state subsidy to liquor merchants and/or producers is proposed to remove any price impacts. This can also be accommodated from Western Australia's share of the safety net revenues.

In relation to timing arrangements, a major issue was that liquor retailers had ostensibly pre-paid certain franchise fees for the whole of the September quarter, prior to the High Court decision. Pro rata refunds are proposed, to remove any possibility of double taxation, after allowing for the increase in sales tax on liquor shortly after the High Court decision.

This Bill provides appropriations to Main Roads WA, the Department of Transport and the Health Promotion Foundation to maintain funding levels in accordance with the 1997-98 Budget to make the subsidy payments and refunds over the next six months to the fuel and liquor industries. The Commonwealth Government is now legislating to protect the States against possible refunds of past franchise fee collections, as well as to use its taxing powers to provide replacement revenues for the States. The expenditure proposed in this Bill will be offset by the revenue to be received from the Commonwealth under the safety net arrangements. The expenditures proposed in the Bill to maintain the 1997-98 budgeted levels of funding are -

\$209.936m to Main Roads WA;
\$5.83m for the Department of Transport; and
\$11.2m to the Health Promotion Foundation.

The Bill also seeks to provide for subsidies estimated to total \$106m to fuel companies for the next six months on the condition that they do not pass on the commonwealth excise surcharge on fuel to off-road users of diesel, or the amount by which the excise on fuel exceeds the previous state franchise on diesel used on road. The subsidies to wine producers in respect of cellar door sales and low alcohol liquor sales, and the refunds of certain advance payments of liquor licence fees by retailers, are also provided for.

Legislation will also be introduced to establish each of the subsidy schemes, and associated standing appropriations, later in the year. The intention of these subsidies is to return surplus revenues collected under the safety net revenue

to taxpayers, thereby keeping any price increases to a minimum. The Bill also provides funding for administration and other costs associated with the introduction of the safety net arrangements. It is expected that the funding to be received from the Commonwealth, which is estimated to be approximately \$856m in a full year, will compensate the State for the loss of revenue resulting from the High Court decision as well as covering subsidy and administration costs as I have previously mentioned.

Not all the safety net arrangements have been bedded down as yet. In fact, there is still a considerable amount of work being done by state officers in finalising arrangements with the industries concerned. A particular issue in the Eastern States is cross-border evasion involving subsidised fuel in Queensland. Queensland is returning all of the Commonwealth excise surcharge to the fuel companies because it did not previously impose a fuel franchise fee. On the other hand, New South Wales is returning only a small component for the excise surcharge on fuel. This has highlighted the opportunity for unscrupulous wholesalers to truck subsidised fuel into New South Wales.

Negotiations are continuing between the fuel companies and state revenue offices to put a stop to this exploitation, which has the potential to bring part of the safety net arrangements undone. To avoid similar cross-border problems with tobacco, the States have now put an alternative safety net proposal to the Commonwealth which will avoid the need for any State to pay a subsidy to the tobacco companies, while still protecting each State's budgetary position. I also emphasise that the safety net arrangements covered by this Bill are a stopgap measure, and it is intended that they will be subject to a full review by all States and the Commonwealth within six months.

If there is a positive side to the mess caused by the High Court decision, it is the spur it has given for the Commonwealth Government to commence serious consideration of genuine reforms to the national tax system and commonwealth-state financial relations. I intend to ensure that maximum advantage is taken of this opportunity. I commend the Bill to the House.

Debate adjourned, on motion by Mr Cunningham.

BILLS (2) - ASSENT

Messages from the Governor received and read notifying assent to the following Bills -

1. Restraining Orders Bill.
2. Casino (Burswood Island) Agreement Amendment Bill.

LAND ADMINISTRATION BILL

Message - Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Council's Message

Message from the Council received and read notifying that it concurred in the resolution set out in message No 39 from the Assembly regarding the amendment to rule 10 of the Joint Standing Committee on Delegated Legislation.

STATEMENT - MINISTER FOR LABOUR RELATIONS

Policy of Financial Institutions on Workplace Agreements

MR KIERATH (Riverton - Minister for Labour Relations) [2.31 pm]: I wish to make a statement on the policy of lending institutions providing mortgages in relation to workplace agreements.

On 26 March last year I responded in this Parliament to a question prompted by allegations from a union official that employees were being refused mortgages because they were on workplace agreements. The response at that time to that suggested scenario from both lending institutions and the Commissioner of Workplace Agreements was a resounding no. I explained to the House that the terms of a workplace agreement do not relate to the underlying contract of employment of a job, but to the conditions within the agreement. It is no different from an award in that respect. The expiry date of an agreement does not mean termination of employment.

Unfortunately, there are those who, despite a clear, categorical and unequivocal statement, continue to propagate misinformation. Earlier this year, Trades and Labor Council Secretary Tony Cooke, as reported in *The West Australian* of 26 June, claimed, "Now the bank managers want to know what contract he is on. If he says, 'I'm on a workplace agreement until next year', the bank manager says, 'Well you're not a very good lending proposition are you?'."

In case this assertion had any factual basis, I asked the Department of Productivity and Labour Relations to write to all banks, building societies and other financial institutions in this State which provide mortgage finance. I am pleased to inform the House that their responses were uniform in their very clear assurances that they are not refusing to provide finance to employees on the basis that they are employed under a workplace agreement.

I hope that this unambiguous and unequivocal assurance by the financial institutions of this State will, if it was needed, help to reassure workers that in no way does the signing of a workplace agreement put them at any disadvantage when seeking finance. I also hope that this statement will persuade certain trade union officials that it is not in their best interest to give out false information, as that falsity will be exposed and a diminution of their credibility will be the inevitable result.

STATEMENT - MINISTER FOR FAMILY AND CHILDREN'S SERVICES

Child Protection Week

MRS PARKER (Ballajura - Minister for Family and Children's Services) [2.33 pm]: This week is Child Protection Week. Child Protection Week focuses our attention on one of the most crucial responsibilities of any community - our children. For the State Government, the protection of children is paramount. It recognises the need to both continually improve its processes within Family and Children's Services and improve coordination between relevant Government and non-government agencies. It is also important to address issues nationally and to ensure cooperation between the different States and Territories and the Commonwealth.

The publication in New South Wales in recent weeks of the recommendations of the Wood royal commission regarding paedophilia has refocused national attention on the issue. Within Western Australia a series of new initiatives and programs have been developed in recent years.

The New Directions in Child Protection and Family Support Program is the approach taken by the Department of Family and Children's Services to manage the referrals it receives and the way it responds to them. It focuses on clearly separating those referrals requiring a child protection response from those requiring a family support approach.

Integral to New Directions is the positive parenting program which focuses on early intervention and prevention. A number of services have been introduced to strengthen families and prevent child maltreatment by supporting parents and helping them to enhance their parenting skills.

Best Start has been developed as a strategy to improve the wellbeing of Aboriginal children up to the age of five years, through collaboration between Family and Children's Services, the Education Department, the Health Department and the Aboriginal Affairs Department. It has been developed in partnership with Aboriginal communities and is now operating in various locations throughout the State.

A series of reciprocal child protection procedures has been put in place between all relevant government agencies. Those procedures relate to instances where maltreatment has occurred, where there is a high level of risk of maltreatment, and where there is a concern for the wellbeing of a child and the coordination of services and the transfer of information are required.

In order to reduce the level of stress and potential trauma for children involved in court proceedings, the child victim witness service was established in July 1995 as a joint initiative between the Ministry of Justice and Family and Children's Services. The service has now been evaluated and found to be highly effective.

The child protection services register has been set up as an initiative to improve the coordination of services to children identified as having been maltreated. The operation of the register commenced in July 1996. It is designed to record vital information about children who have been maltreated and to identify services provided to them. Legislation formalising the operation of the register is anticipated to be introduced into the House during this session. The importance of both child protection protocols and the register to achieve best coordination of child protection across all agencies concerned cannot be stressed enough.

A range of recommendations is currently being considered by FCS to strengthen departmental screening procedures. These are aimed at improving systems to ensure the department does not employ people who may pose a risk to children. In addition, relevant legislation regarding screening procedures in children's services, such as child care centres, is currently under review.

Over the past year Western Australia has chaired a national working party on the implementation of screening procedures across all States and Territories. In this context, Western Australia has taken the lead in recommending a national approach to spent convictions legislation.

The recommendations in the Wood royal commission's final report are presently being examined by all government agencies concerned. This report consists of three volumes and requires a considered response. Cabinet has requested me to prepare a coordinated response by the State Government. I will report back to the House as soon as this has been prepared.

STATEMENT - MINISTER FOR MULTICULTURAL AND ETHNIC AFFAIRS

Ethnic Communities

MR BOARD (Murdoch - Minister for Multicultural and Ethnic Affairs) [2.37 pm]: The State Government is making great progress in its campaign to raise the level of awareness and response to the learning needs and interests of Western Australia's migrant communities.

At the 1996 census, 475 856 people living in Perth were born overseas. Of those, more than 25 000 could not speak English or could not speak it very well. A lack of opportunity to improve English language skills is still one of the major problems facing many people from non-English speaking countries. A person not able to speak English well - or indeed who cannot speak it at all - can face serious hardships, such as difficulty in securing employment or restricted social interaction.

The State Government, through the Office of Multicultural Interests, has developed programs such as those provided by language learning resource centres to help migrants overcome their language difficulties. A total of \$569 000 has so far been allocated over the past two years to establish 74 language learning resource centres, and to provide them with language books, tapes and videos, televisions and headphones, multimedia software and computers. Next year a further \$300 000 will be made available to establish further centres and enhance those already operating. The centres are mainly located at public libraries in metropolitan and country areas, providing easy access and a chance to learn at an independent pace.

The most popular choice of language after English is Indonesian, while Japanese, Italian, Spanish, German, Chinese, French and the Aboriginal language, Noongar, are also studied by many people.

This innovative program is part of the State Government's \$900 000 commitment over three years, which came from an initiative to celebrate the International Year of Tolerance in 1995. The language learning resource centres cater for people from both non-English speaking backgrounds wanting to improve their English skills and those keen to learn a language other than English, whether it be for business, employment or cultural and social reasons. The centres complement the direction signalled by this Government to increase the proficiency of WA's population in a range of languages, for both newly arrived migrants and potential economic benefits to the State in areas such as tourism and trade.

A valuable adjunct to the program has been that many local government agencies and library staff have become more familiar with the population breakdown of their local areas. The establishment of these centres is promoting partnership arrangements with local ethnic groups, schools, colleges and business organisations. In many instances, they have heightened the level of cultural awareness in local communities, providing the opportunity for those from diverse cultural and linguistic backgrounds to meet together and become involved in joint activities. I commend these language resource centres and bring them to the attention of members of this House.

[Questions without notice taken.]

MATTER OF PUBLIC INTEREST - HOSPITALS

Financial Crisis

THE SPEAKER (Mr Strickland): Today I received within the prescribed time a letter from the member for Fremantle in the following terms -

Pursuant to Standing Order 82A I propose that the following matter of public interest be submitted to the House for discussion today:

That this House expresses its gravest concern at the financial crisis facing our government hospitals and demands that the Premier make a full statement to the House forthwith, explaining and detailing -

- (1) The allocation made to each health service arising out of this year's Budget compared with last year.
- (2) The extent of the projected budget shortfall in the Health Department and individual health services.

- (3) How, after only two months, the Budget could prove to be so deficient.
- (4) What cuts in services, staff or facilities will be made to meet the shortfall, both globally and at each hospital and health service, with particular reference to the measures to be undertaken in the teaching hospitals such as ward closures and limits on elective surgery.
- (5) Why the people of Western Australia can no longer continue to rely on the public health system to provide them with the highest standard of health care.

The matter appears to be in order. If sufficient members agree to this motion, I will allow it.

[Five members rose in their places.]

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

MR McGINTY (Fremantle) [3.18 pm]: I move the motion.

I ask members to cast their minds back nine months to the state election campaign. We can all remember the Premier telling the people of Western Australia that "it would be awesome; it would be wicked!" How literally true was the last statement! The Premier went on to promise a social dividend to the people of Western Australia as a reward for four years of belt-tightening; that the battlers, the people who needed the assistance of the Government, the ordinary Western Australians would be rewarded with an improvement in their health care, education, and community services provided by this Government.

We all now know that the social dividend is measured in the human toll being extracted from the people of Western Australia. What is the reality eight months after the state election? We have more than 1 000 Western Australian children waiting for urgent surgery at Princess Margaret Hospital and at the same time a ward of that hospital - equipped and ready to accommodate children - is being starved of funds and is lying empty. If that is not the best indicator of a health system in crisis and turmoil with the wrong priorities, I do not know what is. It is a clear-cut case crying out for assistance. The Government should acknowledge that having more than 1 000 Western Australian children on the waiting list for surgery at that hospital is wrong and it should ensure that resources are made available to reduce that waiting time. That ward, which was a day surgery ward, was closed some time ago by this Government. The money is required not to provide equipment - it is already there - but to pay the nurses to do the work in that ward, money that this Government will not provide.

About two months ago we had a fiasco at my local hospital - Fremantle Hospital. The Minister for Health, with great fanfare and trumpeting, opened a new accident and emergency centre. Its opening was appropriate and long overdue. However, he did not say that, the minute after he left, a ward associated with the accident and emergency department would be locked and a sign put up saying that no patients were to be admitted. The hospital and the Government tried the flimsiest of excuses; they said that they could not recruit nurses and that it had nothing to do with a shortage of money. We all know after reading the article in this morning's *The West Australian* that the hospital has not been given the money to employ the staff, who are available and who could be recruited to do the work. We saw ordinary Western Australians who needed the services of the government hospital system being turned away during the recent flu epidemic supposedly because there were not enough beds at the hospital. That is not true: There were enough beds, but the Government did not provide the money to enable the staff to utilise them.

One of the centrepieces of the Government's election platform only nine months ago was the halving of the waiting lists for elective surgery in government hospitals. We have seen that promise broken; we now have in excess of 13 600 Western Australians waiting for surgery in our public hospitals. That is over 1 000 more than at the last election. We have big problems in the government hospital system. The people of Western Australia were conned by the Premier at the last election because he and his Health Minister made promises they knew they would not keep. That is dishonesty; it is misleading advertising and taking advantage of people's better instincts by lying or telling them an untruth about what would happen. Where is this halving of the waiting lists? We have not seen it; the social dividend is not there.

There is more. The Government also promised that people in the different categories of elective surgery would have their surgery done on time. Those people whose need was urgent would be operated on within 30 days; those whose need was semi-urgent would wait 90 days; and routine operations would be done within a year. Promised surgery waiting times for between one-quarter and one-third of those on the waiting lists are not being achieved. In other words, those with urgent, acute surgery needs are not having their surgery done within the 30-day limit and that is further evidence of the grave problems now besetting our public hospital system. That also constitutes a broken promise, because it was stated in crystal clear English that those people would have their operations on time. The Government has clearly failed.

Two weeks ago in this place the Opposition raised the question of dental care. Earlier this year the Government put 40 000 Western Australians eligible for assistance with dental care on the scrap heap when it refused to pick up the tab after its federal colleagues cancelled the commonwealth dental scheme. For the first time two weeks ago members on this side provided figures revealing that 10 292 Western Australians in the very low income bracket and still eligible for state subsidised dental care are waiting up to two years for treatment.

These are examples or symptoms of a system which is not working and over which this Premier has presided. He is showing all the signs of someone who does not care. Before the election there were great promises of social dividends, halving the waiting lists and surgery being done on time. Two years ago this Government bailed out the hospitals with an injection of \$81m. What happened after it won the election? Did it care? Members opposite have done a Pontius Pilate. This Government has washed its hands of the health system and is simply walking away saying that it is not its problem. It is this Premier's and this Health Minister's problem because the buck stops with them. We have heard them spouting endless lame excuses and blaming everyone else. It is about time the Premier and the Health Minister showed a bit of intestinal fortitude and accepted that it is their responsibility and that if the system is not working it is up to them to do something about it. If they cannot do it, they should step aside and let in someone who can. What is happening in our public hospital system is not acceptable to the Western Australian community. There will be an enormous backlash - it is already happening.

We are two months into this year's Budget and already, according to the published figures, the public hospital system is projected to be \$70m in the red. That is the mid range of what people are estimating to be the blowout. Six weeks ago, the Minister for Health said in this place that the shortfall would be about \$10m and that he would approach the Commonwealth for help. How can that blowout now be \$70m? If that is sound financial management, I do not know what this Government is doing. It is neglecting one of our great public assets. Members opposite have forfeited any claim to be sound, responsible financial managers because they have failed the people of Western Australia in respect of a most important service, particularly for senior citizens. Hospital care is arguably the most important government service and the Government must inject more funding. It cannot tell the public hospitals that they must effectively make \$70m worth of cuts; they cannot do it. We all know that the demand for public hospital services is rising by at least 3.5 per cent a year; we know great demands are being placed on it. It is the Government's job to meet those demands, not to wash its hands and cowardly walk away saying it is someone else's fault. It is the Premier's problem, and it is up to him to fix it. For those reasons, the Opposition has moved this motion in my name. We want information. I am amazed by the way the Government is presiding over this extremely serious crisis. No-one should try to play it down as it is massively serious and requires the Premier to make an immediate statement in the House to tell everyone what is going on.

The first item in the motion demands that the Premier make a statement today to tell us how much money is allocated to each hospital in the State. Although we passed the Budget earlier this year, it was done before the Health figures were prepared. In fact, we went into the Estimates Committee blind. We were not told how much money is allocated to Royal Perth, Sir Charles Gairdner, Fremantle, Armadale or any of the other hospitals. That information is now available. I expect - in fact, demand - that the Premier table that information in the House today so people know how much money is allocated to the 107 health services in Western Australia. People have a right to know that information so they can compare that to the allocations to be made next year.

That information was promised to me in May of this year, but the Health Department has not made it available. It is appropriate that in the course of this debate the Premier table that information so we can make an assessment of the moneys made available to each of the health services in Western Australia this year.

Secondly, the motion calls on the Government to provide detailed statements on the matters addressed in the media this morning. We want to know the extent of the projected budget shortfall, both in a global sense and for individual health services. Accountability requires no less. We know that last time around, when the hospitals were bailed out to the extent of \$81m, it was announced in a statement to Parliament. We now need to know the current state of hospitals' finances.

The third point which the Premier must address is why after only two months the budget is so deficient. Is it poor budgetary management or a lack of control in the hospitals? Is it due to the fact that for two years this Government has failed to appoint chief executive officers to our two major teaching hospitals so no adequate control is operating? Was the Parliament misled when the Budget was released if the Health budget is so far out of kilter with the reality only two months down the track? This is a great concern to the people of the State.

The third paragraph of the motion asks what cuts in services, staff or facilities will be made to meet that shortfall. We know that wards are being closed and cuts are being made on elective surgery. The Premier's duty is to tell us that information in respect of each of those hospitals. How will those measures cut into the public health services people expect?

The fifth point of the motion, sadly, refers to the Premier's need to explain in the light of his social dividend why the people of Western Australia can no longer rely on the public health system to provide the highest standards of health care.

I now give two examples of what is wrong with the system to illustrate the human dimension of this crisis. I spoke on the telephone today with a constituent, Leila Keenan, who is in her seventies and was due to have a gallstones operation today. However, her operation was cancelled for the third time in the last month and a half. I believe that her operation was cancelled in order to save money for Fremantle Hospital, which is no way to treat our senior citizens.

Madge Cumming, a pensioner in her early seventies, is reliant on the state health system, and this Government's management of that system. She has a stomach hernia and has had her operation cancelled on three occasions. In fact, on one such occasion she was in hospital and was prepped for the operation. She is in pain and immobilised; she considers her appearance to be diabolical; and she is trapped in her unit. Nevertheless, she repeatedly hears, "Operation cancelled." She has no date set for her vital operation. This is no way to treat the citizens of this State, and I urge members to support the motion.

MR CARPENTER (Willagee) [3.37 pm]: I second the motion. It is unfortunate that the Minister for Health is not here today. I understand that he has had a bereavement in his family, and I offer him my condolences in that regard.

I wanted to raise some matters with him directly which stem back to Wednesday, 20 August, when the member for Fremantle and I raised in this House funding problems and related matters in the state health system. We pointed out to the Minister in that debate that we believed a funding crisis existed in the system, and that the Government should act swiftly to deal with it. I drew Fremantle Hospital to the Minister's attention. The Minister for Health said of my interest in the hospital the following -

The member for Willagee was not at the opening of the accident and emergency centre. He was not even interested.

He went on to praise the emergency centre and said it was magnificent. However, within a space of three days, I was able to indicate that enormous problems had arisen with the new accident and emergency department at Fremantle Hospital; namely, that one of the wards, consisting of three rooms and 10 beds, in the new centre had never been opened. That ward represents about 30 per cent of the available bed space in the accident and emergency department if my mathematics are correct.

The response from the Minister was to attack me. He claimed that I took a television crew to Fremantle Hospital, and without the permission of the hospital administration, entered the department and allowed the television camera to take footage of unopened ward B3 and its 10 beds. I tried to point out to the Minister later personally and privately that his assertion was wrong. I met a TV crew at the hospital and explained the situation in the facility. I took the reporter into the hospital and walked around the emergency department, which members of the public are entitled to do. I spoke to one of the sisters and told her exactly what I was doing, and she had no objection to that whatsoever. At no stage did the television camera go in with me. Later the crew itself gained permission from the hospital to take footage.

The bigger point is that the Minister spent time attacking me for bringing the problem to public attention rather than addressing his remarks to what he would do about the matter. I had cause to be interviewed on ABC radio and explained what I had seen at Fremantle Hospital. I was followed in the interview by the Chief Executive Officer of Fremantle Hospital who asserted that I was misleading people about the situation. He said that the problem was not a funding shortage, but that the hospital was unable to attract sufficient nurses. I was unable to debate the matter with him at the interview.

However, I have since discovered from the Australian Nursing Federation that, first, the hospital has had a problem attracting nurses because it does not offer positions with satisfactory terms and conditions; and second, that more than 1 000 registered nurses in Western Australia are not currently working as nurses. In fact, there is no nurse shortage whatsoever as nurses simply cannot be attracted to work in the hospital under the terms and conditions offered.

I make that point because the member for Fremantle and other opposition members are anxious not only to highlight the problem, but also to see something done to resolve it. It is pointless for the Government to simply rebut our allegations on the basis that we have done something untoward in bringing the matter to public attention. Also, the Government should not assert reasons for the problems which are not correct.

Thanks to the member for Fremantle's perseverance, we have found a massive funding crisis in the public hospital system, and we are about halfway through revealing the extent of that crisis as more information comes to light. I am sure that as more pieces of information become known, as occurred today, people will be shocked to see what

is happening - or more appropriately, not happening - in the public hospital system. This system is designed to serve these people.

I urge the Premier to take this matter seriously. One of the most fundamental responsibilities of a State Government is to provide an adequate public health system for the people of Western Australia. It is not good enough to say that a funding shortage has arisen and that the problem can only be resolved by service cutbacks in hospitals.

Like members from both sides of this Chamber, I have constituents who are waiting for elective surgery coming to my office frequently, if not on a daily basis, to tell me about the problems they are experiencing. Their waiting is causing them major lifestyle problems. In recent months I have had more people come to me on this issue than on any other issue. One woman was told by the Fremantle Hospital to ring it every day. She told me that she has been on the waiting list for three years. A person can take only so much - she has been expected to ring the hospital every day for three years and to be prepared to go to hospital at any time. It is not a good situation for this woman.

I urge the Government to treat this as a crisis and to address it in a way that resolves the problem. It should not treat it as a budget bottom line issue wherein it says that only a certain amount of money can be allocated, the money has been allocated, services must be cut back and that is the be-all and end-all of it.

I alert the House to the fact that today I have been told, and I have not had time to go there - which is the only way that I as a member of Parliament can confirm what is going on at the hospital - that the 10 beds from ward B3 in the accident and emergency section of Fremantle Hospital have been taken out of ward B3 and placed in the greater accident and emergency section, and are being used. As members can imagine, it is creating an enormous problem for the staff and I am told extra staff have not been allocated to deal with that problem. I repeat that I have not had time to confirm it with my own eyes, but I alert the Parliament, the Premier and the Government to that situation and urge them to do something about it immediately.

MR McGOWAN (Rockingham) [3.43 pm]: I will give the House two appalling examples in my electorate to illustrate the funding crisis in the health system. The first example is in the area of the State's dental clinics. The waiting time for people in Rockingham who want dental work done is 22 months. Albany has the next longest waiting time of 12 months, so in effect the time Rockingham residents must wait for dental treatment is double that. I understand the shortest waiting time is in Kalgoorlie where people can walk in and have their dental work done immediately.

I made inquiries of the dental clinic's organisation about this and it appears that what has transpired is that the State has constructed four new dental surgeries at the dental clinic in Rockingham. It has doubled the size of the dental clinic in Rockingham; however, there are no extra dentists. Therefore, there will be no reduction in the waiting time of 22 months. The situation is similar to that at Fremantle Hospital where there are brand new medical facilities, but no-one there to operate them. Currently in Rockingham there are four unoccupied dental surgeries and no dentists will be provided in the foreseeable future. The waiting time of 22 months will not be reduced for the people living in this ever expanding southern suburban area.

The second example is the administering of epidurals at the Rockingham-Kwinana District Hospital. Pregnant women who go that hospital are being advised that if they are fortunate enough to have their baby during working hours they can have an epidural, but after five o'clock and on weekends there will be no epidurals administered at the hospital. It is a diabolical situation for pregnant women who are admitted to the Rockingham-Kwinana District Hospital. There is a terrible lack of priority for outer suburban areas, particularly the southern suburbs.

Mrs Roberts: If that is true, that is disgusting.

Mr McGOWAN: I have given two very important examples and I hope the Government takes them on board and addresses them in its reply.

MR COURT (Nedlands - Premier) [3.45 pm]: I thank the member for Willagee for his comments about the Minister for Health. The Minister will be in Parliament later this week and it falls on me to participate in this debate, which I do willingly. In the five years we have been in government each year health funding has been a big issue. Education and Health are the two largest components of the Government's Budget. The Government has better control over, and understanding of, the demand for education in the years ahead. However, that is not the situation with health because the demand on the public health system has been growing for three reasons. First, is the number of people who have been pulling out of private health cover. We have not seen the statistics to indicate the effect of the financial incentive which came into effect on 1 July this year to encourage people on higher incomes to move to private health cover. There has been a strong downward trend which is covered in this graph. I do not know whether members opposite can see it, but the red line indicates that the number of people with private health cover is decreasing and the dark line indicates the increase in demand for surgery.

Mrs Roberts: Is that for Western Australia?

Mr COURT: Yes, and members opposite can have access to that graph.

The second reason is that technology is rapidly changing. As a result of modern techniques new procedures are becoming more common and the areas covered under elective surgery are growing rapidly. The third reason for the increase in demand is the ageing population, which is creating a different set of pressures inside the health system.

The hospitals have budgets and, like all sections of government, they are always under pressure. We are two months into this financial year and the Opposition is saying that the Government should be pumping more money into the public health system. Last year it said there would be major problems, but in very difficult circumstances the Government was able to maintain the budgets and the services.

This year the pressure is quite intense and it may be that by the middle of the year some decisions will have to be made about funding for the health system. The shadow spokesperson for Health mentioned the figure of \$10m. The Government applied for that amount of funding from the Commonwealth under the provisions of the Medicare Agreement which provides for a review each time the health insurance coverage falls by two percentage points. There should be a review of the funding of the State because we have had three drops, each of two percentage points, without any increase in funding. One does not have to be too smart to work out that the demand pressures which are building up in the health system are putting huge pressure on the State Government.

The hospitals, to their credit, have been prepared to introduce major reforms to the way they run their operations. Their productivity has improved quite considerably. I will table a graph which highlights the level of activity growth in the hospitals. The fact that the hospitals have been able to carry out more operations, with basically the same resources, is to their credit. That is what efficient management of our health system is about.

[See paper No 655.]

Mr COURT: About two years ago the Government allocated an additional \$81m to the public hospital system to overcome severe pressures on the system. One of the benefits that flowed from good financial management across government was that we were able to allocate those additional funds without pulling them out of other areas and without increasing the State's debt position. The Labor Government would have borrowed money.

Dr Gallop: You borrowed money in this Budget. You did what you said we would do.

Mr COURT: We were able to allocate those additional funds without increasing the debt levels. The member for Fremantle said that the Government's budget priorities were wrong, implying, I presume, that we should pull funding out of other areas of the Budget and put it into the Health budget. Where does the member for Fremantle want us to pull the funding from? No doubt he will not respond to that question.

Mr McGinty: You made promises. How were you going to deliver on them?

Mr COURT: The member for Fremantle said we needed \$70m. Where would he get it from?

Mr McGinty: In the media today the Premier will have read a number of suggestions on where he might find the funds. The Premier made a promise; he has broken the promise. Where will the Premier find the money?

Mr COURT: In the media today I read that a request for \$70m had gone to Cabinet. It has not.

Mr McGinty: The Premier will find that his Health Minister said differently on the radio. Was it never raised in Cabinet on an informal basis?

Mr COURT: No.

Mr McGinty: That is not true.

Mr COURT: The member for Fremantle said that the matter was brought to Cabinet.

Mr McGinty: That was reported in the newspaper this morning and the Health Minister confirmed this morning on radio that it went to Cabinet on an informal basis. The Premier has denied that. He is not telling the truth.

Mr COURT: No proposition on funding has been put to Cabinet.

The Health budget is \$1.6b. That is an increase of \$54m. About \$1.2b is allocated to the hospital system, and about \$900m to the Metropolitan Health Services Board. The major teaching hospitals are the major recipients of the dollars in the Health budget. I will table the breakup of funds for last year and this year. The previous Government would not have had budget figures for the hospitals until October. We have been able to bring that forward. The breakup relates to the health service out-turn budget allocations for 1996-97 and the allocation for 1997-98. The

allocation for metropolitan health services is shown as a lump sum of about \$900m. That is broken up separately into different hospitals. An amount of \$41m has not been allocated to these hospitals; it is listed as additional funds that are available. Those figures relate to the budget allocations.

[See paper No 656.]

Mr COURT: The member for Fremantle referred to the need for \$70m. We may have to find additional funds if we do not get support from the Federal Government to relieve the pressure that the health system is under. I cannot say whether additional funds will be involved; it is far too early in the budget year for us to give that indication.

Members opposite have difficulty in understanding how we must keep a tight control on budgets. The Opposition wants to know what is spent in this or that area of the Police budget. It does not understand the way in which the police are being managed these days. Not only has the Government nearly doubled the Police budget but also the police have the flexibility to allocate those funds where they are needed. The Commissioner of Police allocates resources to the areas where they are needed.

This morning I commented to the media that we need flexibility in the overall budget situation. This Government has shown that flexibility in the past five years. If we have pressure points in the Budget, we do what we can within the resources available to provide additional funds. We believe that there will be some strong pressures in the Health budget this year because of the factors I have outlined. It will be extremely difficult to find those funds. We need some flexibility. However, it is far too early in the budget cycle to make those decisions.

Mr Brown: Not only that but you would not get the headlines if you came up with the money later in the year.

Mr COURT: The Government is not interested in a headline at any time of the year. We are interested in demonstrating over four years that we have tight control over money, and we do not flippantly say that we will allocate money when we do not have the money.

The difficulty with waiting lists is not so much the numbers on the list but the time people must wait. It is of concern with the pressures mounting that the waiting times in a number of areas of elective surgery are not acceptable. If those pressures continue, they will put extreme pressure on the public hospital system.

Paragraph (5) of this motion states that the people of Western Australia can no longer rely on the public health system to provide a high standard of health care. With all the pressures the system is under, it still provides an incredibly high standard of health care. The members for Fremantle and Willagee have commented on the Fremantle Hospital. They must give credit where credit is due. The Government has spent considerable sums of money to upgrade the Fremantle Hospital. In the past two years we have opened two new emergency areas, a renal dialysis unit, a psychiatric service area and recently the cardio-thoracic unit. I am sure one could go to any hospital and ask why it is not doing this or that.

I want members to appreciate that the Government's policy is to transfer more of the delivery of health services closer to the people. The opening of the new Joondalup Health Campus will relieve the demand on Royal Perth Hospital and Sir Charles Gairdner Hospital. Similarly the opening of the Bunbury and Mandurah health services will provide more health services closer to the people. We would like much of the preliminary health care moved out of the inner city area, predominantly at Royal Perth, Princess Margaret, King Edward, Sir Charles Gairdner and Fremantle hospitals, to the outer suburbs. We believe that policy will be helped by the opening of the Joondalup Health Campus.

Dr Gallop: Is that a specific policy to cut back on inner city hospitals?

Mr COURT: It will transfer the delivery of health care to the outer areas.

Dr Gallop: Are you going to cut back on services in the inner city in order to provide them in the outer suburbs?

Mr COURT: Our policy is to deliver health services closer to the people. For example, people can be treated at the Joondalup Health Campus instead of coming to town to Royal Perth Hospital or Sir Charles Gairdner Hospital. That may result in a cutback in the size of those hospitals. The Government would like to see the outer suburban hospitals grow. That is why instead of just committing ourselves, as we did in the election, to building just a new hospital in Armadale, we have done extensive work with people in that area to find out what sorts of services they believe should be provided locally and which specialised services they are prepared to have go into major teaching hospitals. It is hoped the facility the Government wants to build at Armadale will enable much of the work that is carried out at Royal Perth, Sir Charles Gairdner and Fremantle to be done in Armadale. The answer to the question is yes; we want to see the transfer of operations from the central city area into the more populous parts of the metropolitan area.

Mr Board: Especially where they are duplicated.

Dr Gallop: That's good! You tell us which particular services you will cut back and we will have an argument about it.

Mr COURT: The Government said it will build new hospitals with those services where the people are.

Dr Gallop: No, the member for Murdoch said where there was duplication.

Mr COURT: I thought it would be good management practice to cut out unnecessary duplication.

I will comment on point 5 of the matter of public interest. Growth that has occurred in a number of areas is interesting. In the past two years an increase has occurred of over 12 000 cases handled in emergency departments. The current system in public hospitals is unsustainable without a substantial increase in commonwealth funding or a dramatic turnaround in private health insurance membership. The State simply does not have the capacity to meet the increase in demand without additional funding from the Commonwealth Government. There has also been a structural problem for the States in that Medicare encourages cost free access for the community to all public hospital services, regardless of priority or need. The long term viability of the system will depend on the increased proportions of private health insurance and a more balanced use of public and private facilities. A number of private facilities are not operating anywhere near capacity, but public facilities cannot cope with demand. It is important that people who can afford to take out private insurance do so.

Also, a need exists to reduce pressure on emergency departments through better integration between general practitioners and the emergency medical service and the greater use of GPs by the community. Currently people go to emergency departments as their first port of call, whereas in many cases much of that work could be carried out by GPs.

Mr Carpenter: Don't you think by its nature that should be the number one priority in a hospital? It is unacceptable for Fremantle to have that ward closed.

Mr COURT: The Government has just built a new emergency services area at Fremantle. Does the member for Willagee think that was a good move?

Mr Carpenter: I know you have. The equipment is excellent, but a third of it is unable to be used; it is unopened.

Mr COURT: I have made it clear that things like emergency departments are important. That is why the Government put those funds into Fremantle Hospital.

I return to the funding situation. The Government brought down a Budget this year with virtually a nil increase in revenue - there has been a small real decline in revenue. That is unacceptable in a State that is growing strongly. We have been able to reach agreement with most hospitals, apart from the major teaching hospitals, on budgets for the forthcoming year. As members can see in the funding, the Government left an additional \$41m to be allocated within those existing budgets to help meet demand.

Mr McGinty: You have cut the budgets of just about every metropolitan hospital.

Mr COURT: This is the problem members opposite have with budget figures. There has been an increase in the overall funding, but, as I just explained, \$41m of that hospital funding has not been allocated.

Dr Gallop: Split that up among all the hospitals and they will still have cuts.

Mr COURT: I return to the point I made. It could be that with the huge pressure coming on the system, additional funds must be provided in the course of the year. If that is the case, it will be done in a proper, controlled way. There will be difficulty finding the funds - there always is - but the Government has the flexibility to ensure that where there are pressure points, both within the system and for extra moneys to come into the system, the Government will meet those requirements. The Government is proud that it has been able to maintain the State's tight budgetary situation; that is, living within its means and at the same time increasing funding to areas such as health and education. However, health will be the hard one for us. We will monitor that area closely. Two months into the year, members opposite can talk about estimates between \$20m and \$100m -

Mr McGinty: I think the estimates were between \$40m and \$120m.

Mr COURT: In a \$1.6b budget I reckon I could get full support from the hospitals that they need an extra \$300m. Unfortunately the Government does not have funding of that magnitude.

Mr McGinty: Will you address point 4 in the motion, which is about cuts in services or staff facilities? I hear from hospitals that ward closures and caps on the number of operations that can be performed will become commonplace.

Mr COURT: I will not comment on cuts in staff and facilities in individual hospitals because they have responsibility

for managing their staff and for what they do. The Government will monitor the demand. If we do not get the support we want from the Federal Government and there is a need to find additional funds, we will have to do the best we can to find them. That will not be easy. I will not say there will not be staff cuts, because there is bound to be a hospital somewhere that is cutting staff.

Mr McGinty: Ward closures are occurring at the moment.

Mr COURT: To which ward closures is the member referring?

Mr McGinty: I can list several for you.

Mr COURT: Tell me.

Mr McGinty: We have asked you to give a full statement of what you are doing. If you are closing wards, tell us.

Mr COURT: The member says wards are being closed, but the Government is building new wards all over the place - at Joondalup, Mandurah and Bunbury, for example.

Mr McGinty: You open them and then close them.

Mr COURT: Does the member for Fremantle want Joondalup Hospital to open?

Mr McGinty: Which wards are you closing? That is not a difficult question.

Mr COURT: The member has told me he knows which wards are being closed. Perhaps he can answer his own question.

DR HAMES (Yokine - Minister for Housing) [4.08 pm]: It is unfortunate that this matter is being dealt with in the absence of the Minister for Health. He would like very much to have played a part in this debate. It is unfortunate members opposite have brought this matter on, knowing his absence is as a result of the death of his mother.

Dr Gallop: You should not have mentioned that. This is a major state issue. For you to raise that matter reflects on your personality.

Mr McGinty: We have not criticised him. You are the one that raised that in this debate - and you are wrong.

The DEPUTY SPEAKER: Order! Members, we would like a bit of order to allow the Minister to be heard not only by Hansard but also by me.

Mr McGinty: Why did you raise it, Minister?

Dr HAMES: Knowing the member for Fremantle's sensitivity, I am certain that had he known that was the situation, he would have delayed bringing this matter forward.

Dr Gallop: We would not have delayed it. We knew that was the situation, and we gave him our condolences.

Dr HAMES: The Minister would have appreciated being here today to have the opportunity of answering some of the statements made by the Leader of the Opposition. I know that the Minister feels the same as I do about the delays in waiting times. Waiting times were very difficult for me when I was practising as a general practitioner, and I know they are very difficult for the Minister because I have discussed this issue with him at length in the past. The fairly rabid response of members opposite to my statement indicates a bit of sensitivity on their part. I do not think my statement warranted that sort of attack.

Mr McGinty: Then why did you raise it?

Dr HAMES: Because members opposite are being unreasonable in bringing forward this motion when the Minister is absent. Members opposite have many opportunities to raise this matter of vital importance to the State, and if the members opposite were really interested, they would try to get answers from the Minister when he was here and able to present his and the Government's point of view, rather than attack the Government in his absence. The Opposition's behaviour is fairly disgraceful, and I was trying to put a reasonable light on it in view of my understanding of the member for Fremantle, but that understanding was obviously misplaced.

I want to talk more specifically about the problems that occurred in waiting times when we were in opposition. I was practising as a general practitioner at that time, and the difficulties that I had with waiting lists were not dissimilar to the difficulties that are being experienced now.

Mr McGinty interjected.

Dr HAMES: Members opposite do not want to hear this. One lady who had severe ectropion, which is a painful and

difficult condition where the eyelid hangs away from the eyeball and becomes extremely inflamed and sore, and which requires simple surgery, was on the waiting list for two years during that time. I am not making excuses for what is occurring now but pointing out that the same occurred then.

Dr Gallop: It is worse now!

Dr HAMES: It is worse, and I will explain why. It is worse because the Federal Government - the previous Federal Labor Government experienced similar problems - cannot provide sufficient funds to enable the burgeoning health system to cater for the huge increase in numbers. The number of patients on the Medicare waiting list has continued to expand partly because of the Medicare system. I am not trying to denigrate the Medicare system, because it has many good points, but the funding has never kept up with the requirements and with the increasing number of people who are leaving the private health insurance system.

The problem has increased because the Federal Government has increased by only a small margin the Medicare rebate to general practitioners. While some general practitioners do not charge the full schedule fee as set by the Australian Medical Association, an increasing number of general practitioners charge somewhere between the AMA full schedule fee and the Medicare rebate, and because the Medicare system does not permit people with private health insurance to take out gap insurance, people who cannot afford to pay the gap between the schedule fee and the Medicare rebate are moving in increasing numbers to the government hospital system.

I can tell the member for Willagee that I worked in the casualty department of Fremantle Hospital for two years, and we always had varying loads, which sometimes were extremely busy. I visited Fremantle Hospital last year, and the improvements in facilities at that hospital, particularly in the casualty department, are a credit to the Government.

Mr Carpenter: There is no point the hospital's having those facilities if it does not have the staff. Look at the emergency department.

Dr HAMES: The member for Willagee is referring to a holding ward. It is true that it has not been staffed and that the hospital has been unable to find sufficient nurses, but it is working on the training and allocation programs to increase staffing for that hospital.

DR GALLOP (Victoria Park - Leader of the Opposition) [4.15 pm]: It has become very clear that the management of the Western Australian public hospital system in the past three or four years has become crisis management. The crisis continues day in and day out, and the public hospitals are finding it impossible to cope given the priorities that the Government of Western Australia has set for them.

The Premier outlined three reasons for the pressure on our public hospital system: People leaving private health insurance; technology changes; and the ageing of the population. These factors are common to all of the States of Australia. That leads us to ask the simple question: Why are elective surgery waiting times worse in Western Australia than in the other States? Why is it that on that fundamental performance indicator this State is performing worse than the other States? That is the central issue that must be debated in this Parliament.

The figures that were released today indicate clearly that elective surgery waiting times have blown out in the categories of urgent, semi-urgent and non-urgent, and that the promises that the Government made at the last election about that issue have not been kept. This State is not managing its public hospital system properly because of the priorities that have been set by the Government of Western Australia. Those priorities are reflected in next year's Health budget, which was tabled in the Parliament today, and which indicates that all the major metropolitan hospitals will suffer cuts in their budgets. The Premier can talk about the \$41m as much as he likes, but when that \$41m is allocated throughout the health system of Western Australia, there will be no question that the major public hospitals in the Perth metropolitan area will suffer budget cuts. The budget of Royal Perth Hospital will decrease from \$234m to \$214m, a cut of \$20m. The budget of Sir Charles Gairdner Hospital will decrease from \$162m to \$153m.

Mr Court: Read the lot. We cannot trust you with figures. What about the \$41m?

Dr GALLOP: I spoke about that; the Premier was not listening. There is no question that these hospitals will have more strains and stresses placed upon them, that they will have empty wards, some of them new but with no staff to operate them, and that patients will continue to be pushed out of the hospital system and back into the community without proper processes in place to care for them.

An important question that will come up in this Parliament is: What arrangements are in place in the contracts between the Government of Western Australia and the two private hospitals in order for those private hospitals to receive greater funding than those hospitals that have not been privatised? We will pursue that issue, because we believe that this Government will want to make those private hospitals look better than the public hospitals. We have seen that happen in other States and we will see it happen in Western Australia. That means that some of the scarce dollars that should go into patient care in Western Australia will go into the profits of Health Care of Australia and

the health fund that is running the hospital in Mandurah. Those scarce health dollars will go into those private profits. That scandal will be exposed by the Opposition in the debate in this Parliament on health in Western Australia. Why should money go into those private profits when the Government has made those cuts to the public health system? Why should the shareholders of Health Care of Australia get money that should be going to Royal Perth Hospital? The Premier should answer that question, but he cannot. There is no better system of government health than the socialist system and the Premier knows that. There is no better system, be it health insurance or health delivery, than a publicly-owned, publicly-operated health system. Evidence from throughout the world confirms that. In economic and social terms, it is the best system and this Government is undermining it. Members on this side of the Parliament will defend the public system because the people whom we represent rely on it, and we know that the Premier does not respect their needs and interests.

Question put and a division taken with the following result -

Ayes (19)

Ms Anwyl
Mr Brown
Mr Carpenter
Dr Constable
Dr Edwards
Dr Gallop
Mr Graham

Mr Kobelke
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr Pandal
Mr Riebeling

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

Noes (31)

Mr Ainsworth
Mr Baker
Mr Barnett
Mr Barron-Sullivan
Mr Board
Mr Bradshaw
Mr Court
Mr Cowan
Mr Day
Mrs Edwardes
Dr Hames

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

Mr Omodei
Mrs Parker
Mr Shave
Mr Sweetman
Mr Trenorden
Mr Tubby
Dr Turnbull
Mrs van de Klashorst
Mr Wiese
Mr Osborne (*Teller*)

Pairs

Mr Grill
Mr Marlborough

Mr Minson
Mr Prince

Question thus negatived.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 4)

Message - Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

**BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND AND LEVY COLLECTION
AMENDMENT BILL**

Second Reading

MRS EDWARDES (Kingsley - Minister for Employment and Training) [4.26 pm]: I move -

That the Bill be now read a second time.

A Bill to amend the Building and Construction Industry Training Fund and Levy Collection Act was passed by the other place in the 1996 spring session of Parliament. That Bill was introduced and second read in this place but did not proceed through the Assembly before Parliament was prorogued. Apart from minor drafting changes and the addition of one clause, none of which alters the meaning or effect of the relevant provision, the Bill is the same as that presented last year. The additional clause enables regulations to be made on consequential arrangements that may arise on repeal of the Act, which need to be implemented. It is a standard clause included where an Act is to be repealed.

This Bill seeks to amend the Building and Construction Industry Fund and Levy Collection Act to overcome shortcomings that have hindered the effective operation of the Act and to give effect to recommendations resulting from a statutory review of the legislation conducted by Mr Len Hitchen in 1994. That particular review, provided for under section 32 of the Act, included in its terms of reference, a requirement to review and advise the Minister for Employment and Training on the Building and Construction Industry Training Fund and Levy Collection Act, in particular -

the effectiveness of the building and Construction Industry Training Board established under the Act;

the attainment of the objects of the Act, including -

- (1) the efficient and effective collection, control and administration of the levy;
- (2) the efficient and effective formulation and implementation of the operational plans;
- (3) the extent to which the fund has improved the quality of training and increased the number of skilled persons in the building and construction industry;
- (4) the need for the Act to continue in operation; and
- (5) any changes that might be necessary concerning the future role, structure and operation of the board and the levy fund to improve the effectiveness of the intent of the Act should the reviewer recommend the continuance of the Act.

The report of the review was tabled in the Parliament on 11 August 1994. It presented two options for action but concluded that the BCITF Act had not been an effective mechanism to promote training in the building and construction industry and that, on balance, there was no need for the levy to continue. The review recommended that the levy be abolished and residual funds be used for the benefit of training in the building and construction industry.

However, the review also advanced a series of recommendations designed to remedy many of the operational difficulties identified, in the event that it was deemed preferable to continue the operation of the fund.

In making his recommendations, Mr Hitchen noted that contextual issues, such as confusion and overlap between the roles of the BCITF and the then Building and Construction Industry Employment and Training Council, had hampered the effectiveness of the fund and made the process of review difficult. In addition, the Commonwealth Government acted at around this time to suspend the Australian training guarantee levy, which heightened opposition to the levy.

After due consideration, which included consultation with employer and employee representatives, it was agreed that the fund would be extended for a further three years to allow the recommended reforms to be effected. The Bill seeks to -

reduce the size of the board and enhance decision making processes through the introduction of simple majority decision making;

provide for the appointment of an independent chair and members appointed by the Minister following consultation with industry;

complete the separation of the BCITF from the Building and Construction Industry Training Council, through abolition of common membership and a new funding relationship based on a clear resource and performance contract;

amend the objects of the Act, with particular emphasis on removing the requirement for sectoral distribution of funds;

clarify the ambit of levy coverage;

institute an appeals mechanism to ensure there are no continuing anomalies in the application of the levy, with provision for a right of appeal to the Minister;

provide for an administrative and staffing structure which is independent of the Building and Construction Industry Training Council secretariat; increase accountability and institute the use of tenders in the allocation of funds;

allow organisations which establish their own training arrangements to apply to the Minister for exemption; and

incorporate a sunset clause after three years of operation.

The Bill makes provision for organisations to apply for a reduction or exemption from the levy. It is proposed under this arrangement that gazetted conditions and criteria for levy reductions or exemptions relating to training to be met by project owners, would be the basis of the application to the board. Such conditions and criteria would be developed in consultation with the board and approved by the Minister.

The Government is aware of the significant issues surrounding the operation of the building and construction industry training fund. Duplication of membership and functions of the Building and Construction Industry Training Council and the BCITF board have generated major concerns about the potential for conflict of interest when the beneficiaries of the fund are also determining the disposition of the moneys. Given these difficulties, the Government has chosen to introduce amendments to allow the fund to fulfil its original object of being an industry driven initiative designed to comprehensively address the training needs of the building and construction industry. The Bill seeks to remedy problems identified in the statutory review, while encouraging the building and construction industry to assume responsibility progressively for its own training. I commend the Bill to the House.

Debate adjourned, on motion by Mr Cunningham.

WESTERN AUSTRALIAN LAND AUTHORITY AMENDMENT BILL

Second Reading

Resumed from 21 August.

MR MCGOWAN (Rockingham) [4.33 pm]: It is my pleasure to indicate the Opposition's support for this Bill. The purpose of the Bill is to amend the Western Australian Land Authority Act by extending the sunset clause, which states that the Act shall continue in operation until 31 December 1997, and no longer. Section 52 of the Act sets out in detail what should happen to the assets of the land authority when the Act expires as a result of the sunset clause. Members should be aware that the Western Australian Land Authority is more commonly known as LandCorp, and the sunset clause in the Act would enable LandCorp to be wound up on 31 December 1997. At that time, all its assets would be vested in the Minister, all its rights, liabilities and obligations would devolve to him, and all its contracts, agreements and undertakings would be enforceable by or against the Minister. The Minister is opening himself to a lot of responsibility! The Act also enables the Minister to continue or commence any actions by or on behalf of the authority against any other parties.

Since the present Minister became Minister for Lands, he has established a review of the Act. Perhaps when he responds to the debate he will enlighten us on why that review was not established earlier. Why was the review not commenced by the former Minister for Lands, the member for Riverton? This section of the Act was in the nature of a time bomb, ticking away to the expiry date. I thought it would have been possible to establish the review earlier so that we could determine LandCorp's future. I can assume only that it was an oversight or a lack of urgency on the part of the Government in relation to this Bill.

The Minister has appointed Mr Gerry Gauntlett, a member of the Western Australian land development industry, to conduct this review to determine the future of LandCorp. He will have to run the gauntlet, if you will excuse the pun, Mr Speaker. It is important that this review take place. The Government's rationale is that there is insufficient time to carry out the review before 31 December and, therefore, the date of expiry of the sunset clause should be extended to allow the review to take place and to enable consultation to occur with all those people who should be consulted.

The Bill is quite simple in its intent, and I have only two concerns. The first is why the present Minister, and not the former Minister for Lands, appointed the review. The second concern relates to the third last paragraph of the second reading speech, in which the Minister indicated that the purpose of the review was to "develop, introduce and seek passage through Parliament of any proposed legislative changes to the Western Australian Land Authority Act". This seems somewhat incongruous in relation to the expressed intent of section 52 of the Act which sets out the intention to wind up the authority; that is, LandCorp. I think we need an explanation on those two points; that is, how this is incongruous with the original Bill and why the Government has taken so long to get on with this matter.

Another matter related to this is the operation of LandCorp. I have a number of serious concerns about its operation and the way it conducts its business in Western Australia. These concerns crystallised in my mind when I received a copy of the "Landline" newsletter, which is a nice glossy publication by LandCorp featuring photographs of the Minister all the way through it. It appears that the land development arm of the Western Australian Government, LandCorp, is concentrating most of its efforts in marginal Liberal seats. There is a very important issue to be debated on this matter about concerns that publications paid for by the State have all through them examples of developments by LandCorp in the heartland of marginal Liberal seats. This publication is an example of that. On the front page is a photograph of the Minister. There is also a photograph of a development by LandCorp in the heart of the marginal seat of Mitchell.

Mr Shave: Mitchell is not marginal now; it is a very strong Liberal seat.

Mr McGOWAN: We will see.

Several members interjected.

The DEPUTY SPEAKER: Order! Members, we are debating the Land Authority Bill.

Mr Osborne: Where is it?

Mr McGOWAN: It is in Victoria Street, towards Marlston Hill.

Mr Shave: Victoria Street is in the Bunbury electorate.

Mr McGOWAN: I am not familiar with the boundaries between the electorates of Bunbury and Mitchell. Furthermore, there is reference in the publication to an area in Geraldton, a development in Joondalup, a marina in Geraldton, and a further development in the marginal Liberal seat of Mandurah. On the back page of the publication are pictures of the Minister wandering around shopping centres in Joondalup, accompanied by the member for Joondalup, and an indication that he likes building cinemas with public money in Joondalup. There is also a photograph on the back page of the member for Bunbury with the Minister. This is another example of public funds being used to promote Liberal Party members, and developments taking place solely in Liberal Party electorates.

Several members interjected.

The DEPUTY SPEAKER: Order! A member is trying to make a speech. Let us give him some order, and let us listen to him. If members want to interject, they should do so quickly and not go on forever.

Mr McGOWAN: Thank you, Mr Speaker, they were being very unruly and riotous. We are facing an unruly mob opposite.

Several members interjected.

The DEPUTY SPEAKER: Order! Will members let the member for Rockingham make his speech.

Mr McGOWAN: I do not have much to add, but I stress the important point about the way LandCorp is operating. A number of years ago under the last Federal Labor Government the whiteboard affair occurred, which members opposite would have been outraged about.

Mr Baker: Did Rockingham score at all?

Mr McGOWAN: Not at all. After that occurred, Governments decided they would not carry on in that way any more, but we see similar practices now under the banner of LandCorp and this Government.

MR KOBELKE (Nollamara) [4.46 pm]: As indicated by the member for Rockingham, the Opposition fully supports the extension of the current Act by 12 months, which will be the effect of this amendment. However, the Government must explain why the Bill has been introduced at the eleventh hour. It certainly seems to be poor management that a major government agency is within a few months of being shut down before the Government brings to the Parliament a small amending Bill to allow it to continue while a review takes place to determine its future. The Government must explain why it has been caught out in this way.

It is quite appropriate to discuss what might be the outcome of this review and the various policy options open to the Government, given that the intent of the amendment is to provide a further 12 months so that the review can take place and the Government can decide what its policy will be with respect to the continuation of the Western Australian Land Authority. I come from a philosophical position where I have no problem with a government agency being responsible for the development of land. I know the current Government has mixed feelings on this, and there has been conflict over the past four years between various Ministers on whether one government authority should develop land, or whether the two major development authorities of Homeswest and LandCorp should do so, with the Department of Land Administration playing a minor role. Clearly, the whole situation needs to be reviewed. I do not suggest for one moment that the current arrangement is the best possible arrangement. However, I am concerned that if certain elements in the current Government win, we shall see a major downgrading or total abolition of any major government developer. That would be a total turnaround from the conservatives' position 20 or 30 years ago. In the 1960s and 1970s the conservative Governments saw the need for government agencies to be major players in land development. That was for the specific political reason that elections were seen to be won or lost on the spiralling price of land. It was felt there was a need for the Government to be seen to be involved in land development to provide the cheapest possible land for Western Australians at a time of fairly rapid growth in the metropolitan area.

In those days the Urban Land Council operated and under Sir Charles Court's Government, the R & I Bank became a major land developer to ensure that plenty of land was available. I am not in a position to judge the causes of that, but it seems on my limited knowledge that lack of competition between the then land developers allowed the situation to develop where the serviced land available was not sufficient to keep the prices down. A conservative Government got the Western Australian Government involved as a major player in land development. As I have indicated, a whole range of agencies have been involved over time in that process, one of which was the Urban Land Council; another was the Joondalup Land Development Council which was very successful, with the Industrial Lands Development Authority providing industrial land.

I note, in passing, that the Playford Government in South Australia, a very successful Government in terms of longevity, was much more forthright and gung-ho than Western Australia in land development. It established huge industrial estates and built factories.

Mr Pental: One of the great Liberal socialists was old Tom.

Mr KOBELKE: He was. The Playford Government brought in huge numbers of migrants and provided them with housing. The South Australian equivalent of Homeswest provides the highest percentage of government housing of any State. Western Australia has a considerably lower percentage. The Playford Government undertook the development, provided the houses and the serviced land for factories, and introduced to South Australia a whole range of industries, particularly automotive and white goods. The Playford Government was very successful politically in meeting what were seen to be the needs of South Australia at that time. In the 1960s and 1970s Western Australia followed that example in a more moderate way.

Some of the reasons that drove the Government to become involved in land then are valid today. We must make sure the Government is a player in the development of land. Currently the private developers' market is very competitive. We might say on that score that the Government need not be involved in this area as an active player, and there is some truth in that for a large number of the many different segments of the land market. However, even if that were the case now, it does not mean that in future cartels or large interests in land could not tie up broadacre land, which would result in prices rising because of some influence or control over the marketing of residential land. The Government should still be involved in land development as a player, although at a lower level than it currently is.

It is also very important that the land development authority become a generator of funds for the public purse. Although the private developers see that as total anathema, in realising the problems associated with raising funds - we have just finished a debate on the difficulty of getting enough funds for our health system - we must appreciate there is an avenue for increasing government revenue through the development of land. If that is done in a way which is outside the marketplace and where the Government is using unfair rules of competition to dominate the market, it opens up a whole range of other problems.

We must balance these competing interests to ensure that where the Government is involved as a land developer, it does so not just as a fair player, seeing itself as fulfilling a public role by providing quality, cheap housing lots and returning some revenue to the State, but also in such a way that it does not squeeze out the private development industry. That industry is very innovative and competitive and, in being cost competitive, it has a very important role to play in holding down the price of land in the same way as the Government might play that role at different times.

If LandCorp, or whatever the name of the government land development agency may be, is to fulfil that role, it must be accountable. People must be able to see not only the objectives of LandCorp, but also whether it is living up to those objectives. There must be an openness and accountability about how the Western Australian Land Authority operates. A part of that must be a very clear transparency of the accounts. If a private entity develops land and does not meet the right period in the market, it may easily go bust. It can have millions of dollars in the ground and not realise the money that has been put into the land development; whereas the Government can sit on that land. That is not always a bad thing. In an area like Broome or Derby there may be a need to develop residential lots and LandCorp can fulfil that obligation, as it has. The market may shift and sitting on the land and taking a loss could be seen as a very important part of the Government's policy to develop the State.

That must be shown in the accounts and reports of the government land development agency. The Government could say, "We accept that that development in a regional centre was not commercial, but we have asked LandCorp to do that because it fits in with our policy on development in the non-metropolitan areas." That kind of example, in very simple language, must be put into the accounts to make them more transparent in showing how LandCorp or other government land development agencies operate.

Joondalup has been one of the great success stories of what is now LandCorp, but which started under the name of the Joondalup Land Development Corporation.

Mr Shave: The member for South Perth would not agree with that.

Mr Pandal: The Minister is as good a socialist as the member for Nollamara.

Mr KOBELKE: I will talk about the cinema complex a little later. I just want to put on the record that we can be rightly proud of the achievements in Joondalup and surrounding suburbs. We have been able to put in place growth to that urban area of Perth, revolving around a new city centre with a range of facilities which would not have been as well planned or developed as early had an agency not been directly involved.

I am concerned about the change in policy when this Government came to office in 1993. I am not sure whether the policy has been reversed or whether it has been watered down. Perhaps the Minister for Lands can correct me if it has changed. In about 1993 or 1994 a decision was made that LandCorp could no longer put money into social developments. If the Western Australian Land Authority made any profit, it was to come back as revenue to the Government which would then allocate money for social purposes. For whatever reason, the Government made the decision to change the policy - I can guess what it is, but I will not go into it - and it meant that money did not go into a whole range of social developments which would have helped in those areas.

I will give two examples. I went to a launch in 1993 or early 1994 of a community social development group. I cannot remember its exact title; perhaps the member for Joondalup can help me.

Mr Baker: Was it the regional economic group or the Wanneroo economic development group?

Mr KOBELKE: No; it was not an economic group. It was to do with social development in the Joondalup and Wanneroo areas. I am not sure whether this group still exists, but it was to look after social needs. It did not involve a lot of money, but there was enough to put in place the mechanisms for the management of a range of community groups to provide, say, child care or volunteers. Some money came from LandCorp for that purpose because it saw that as necessary in new suburbs. Instead of letting the suburbs grow naturally and taking perhaps 20 years to get the cricket club, the football club and the child-care centres up and running - as was the case in Mirrabooka and Balga which are in my electorate - it decided to assist the local people to grow them a little quicker and to put in the human infrastructure to make these suburbs work. This Government's policy was to move away from that, saying that it would do it and that it was not the role of LandCorp. LandCorp must be allowed a little room to move into that area.

Another example occurred late in the life of the former Labor Government. To my knowledge LandCorp was not developing land in the centre of the town, but rather areas further out in the southern suburbs of Rockingham. LandCorp saw that the value of its land would improve and that it would get a better quality development, if there were a better quality city centre, so it contributed to the excellent Rockingham City Shopping Centre. The Government is saying now that that is a social advantage to the area and that the role of the land authority should be far more hard headed - developing land, putting it on the market and taking a profit. I have perhaps oversimplified the position, but it is now much more of a business approach than the development of a total community with its necessary social infrastructure.

This amendment allows the current authority to go on for another 12 months, so that this review can take place. I hope that as a result of this review we will see the broad issues such as these taken into account and not only the narrow view that seeks to maximise the return to the State from its land development arm in LandCorp. I have given the example of Joondalup. I wish to comment on the controversy that raged about the development of a cinema complex there. I would not have a problem with the development of a cinema had the Government been quite frank, transparent and open about what was happening.

Mr Baker interjected.

Mr KOBELKE: I will take interjections, but let me have my say. I found the approach quite hypocritical. The Minister and members of the Government have said time and again that it is totally unacceptable for the Government to be involved in running commercial activities in competition with other commercial activities, such as cinemas or shopping centres. Given that the Government was locked into the part ownership of a shopping centre, it clearly needed to be managed for the benefit of the area and to protect and enhance the Government's investment. If the Minister had said, "We have real competition between Whitford and Joondalup shopping centres. A business decision has been made that in order to enhance the value of our shopping centre we need a cinema. The way shopping centres work these days is that they tend to be mega centres. We must draw people in with a wide range of facilities, not just retail shops but also entertainment and fast food outlets. In order to develop Joondalup as a centre and to protect our interests, we feel that we need to go ahead with a cinema." Had that been the case, we could have had a debate about whether the Government should commit itself to such an action. It is hypocritical for a Government which has continually criticised us for doing those sorts of things not to front the issue. We were given a range of excuses and false reasons for the Government's getting involved. If we do not have transparency, agencies such as LandCorp will not be able to properly fulfil their role and in such a way that people understand that they are doing their job. The balancing act is between, on the one hand, being there and not in any way crushing the private

land developers and, on the other hand, having a small to reasonable sized presence which ensures the production of land at competitive prices in reasonable locations.

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

Mr KOBELKE: The competition which has existed in the current Government through its entire first term between LandCorp and Homeswest is a changing scene. I hope this review of LandCorp will be open and honest about how that situation will be managed. Following the McCarrey report there was pressure on the Government to try to amalgamate the land development agencies into one authority. I did not support that. In brief, that is because Homeswest has done an excellent job. If we are to have low cost public housing of reasonable quality, we need to be able to place it in a range of suburbs, therefore having the state housing authority in the form of Homeswest also as a land developer gives us the flexibility to be able to achieve those things. It is also important because the Commonwealth-State Housing Agreement requires the State to put in so much money, which it never has. It has allowed Homeswest to generate money through land sales and has shown the money on its books as a government contribution. I suspect the practicalities of the Commonwealth-State Housing Agreement funding, if we did not have Homeswest as a developer, are the reason that certain elements in the Government never won the fight to amalgamate the land development agencies.

Mr Shave: That needs to be addressed. Other States have probably addressed the issue, which may not be insurmountable.

Mr KOBELKE: It may have been fortuitous in the past. It was useful from my perspective because it thwarted any move to amalgamate the two agencies. As I have said, Homeswest has done an excellent job on the whole. Its ability to act as a land developer has made it able to offer homes in a variety of suburbs and produce very good quality housing. That is not to say that Homeswest has not been without fault. In some ways it has clashed with LandCorp. It has seen itself as a government developer which can sometimes cut through red tape and not be subjugated by the rules by which other developers must abide. We must be careful when government agencies can assume that special position. I am sure that all of us from time to time have received complaints about Homeswest not fulfilling all the planning and building requirements which others had to fulfil. That is an area of concern with all government agencies. Perhaps there is room for improvement in that area, but it has led me away from the Bill before the House.

I hope we will see with this review the Government looking at broader perspectives to ensure that the Western Australian Land Authority, in whatever form, continues as a major agency for the development of land in this State with clearly defined policies similar to those we currently see. I would like to go through those functions, which we find in the Western Australian Land Authority Act. It reads -

The functions of the Authority are -

- (a) to be an agency through which the government provides, or promotes the provision of, land for the social and economic needs of the State;
- (b) for that purpose to hold and deal with land and plan, undertake, provide for, promote and co-ordinate the development of land;
- (c) to continue the development of the Joondalup Centre, in accordance with the plan referred to in [the Act]; and
- (d) to identify other potential centres of population and use its powers to bring about the provision of infrastructure and facilities for the same.

Further on where the Act refers to the provision of land, it refers to a charter for LandCorp as follows -

- (a) the provision of subdivided land at the lower end to the middle range of the market in order to ensure a competitive element in the market; or
- (b) the development of potential residential land for disposal in superlots to ensure that there is a continuous supply of residential land; or
- (c) the provision of subdivided land in those more remote areas of the State where in the opinion of the Minister there is no private developer willing or adequately able to provide that land; or
- (d) the provision of subdivided land for social needs to persons who would otherwise be unable to afford to acquire a home.

We see that as a very important role for a body such as LandCorp. In just over 12 months we hope the review will be very public and that a whole range of groups will be able to input their views on LandCorp, so that any

government decision on revamping or changing LandCorp will still hold close to the stated objectives of the current Act. If LandCorp plays the very narrow role of simply developing land for economic purposes, we will see developments of a much lower quality and the benefits which have flowed to the people of Western Australia will start to dry up. It is important that the State remain a player, but in an open and accountable way. People must know why the Government is making decisions; they should not be left guessing or believing its decisions are not in the best interests of the State.

MR PENDAL (South Perth) [5.10 pm]: Effectively today we are being asked to extend the sunset clause by only a year. That is all we should be debating. Given that everyone has taken a bit of a wide berth in the debate, I make a few comments about that very issue. In some respects the 12 months extension will be a good thing for the Government. It will allow it to review the contradictions that have become apparent in its own philosophical base with LandCorp and Homeswest. Like everyone in the Chamber, I have no difficulty with a level of state involvement in either sphere.

In my electorate, which incidentally has the highest concentration of Homeswest properties of any electorate in Western Australia because of Karawara, Homeswest has an important role to play and it has played that since the conclusion of World War II. I have no doubt that it will continue to play an important role irrespective of which Government is in office in the future.

In some respects LandCorp's role is a little more obscure because it does not involve the provision of shelter to people. Its role should be the provision of first home sites in ways that will make it affordable to people on lower incomes. Earlier this year LandCorp sailed off into a mega million dollar purchase of land at Golden Bay - \$17.5m or \$18m worth of land that hardly met first home buyer requirements. Indeed, that land was described to me by sections of the industry as dress circle land.

Mr Shave: Did you say that earlier this year?

Mr PENDAL: Whenever the Golden Bay deal was concluded; it might have been earlier than that. Has it not been concluded in the past 12 months?

Mr Shave: I thought it was March 1996.

Mr PENDAL: I will not argue with that. My point is that the industry itself described the Golden Bay land as potentially dress circle residential property. I am saying that the 12 months' extension we are about to give to LandCorp is an excellent opportunity for not only Mr Gauntlet, but also the Government to address what it believes in.

Why do people say that differences no longer exist between the philosophical views of the two major parties? They say it because of what is happening in this Bill alone. In the past four and a half years, since the Government took office, it has allegedly made a commitment to lower the level of government involvement in the economy. It sold State Print, privatised BankWest, closed the Midland Workshops and corporatised AlintaGas and Western Power. While all that was occurring, in a parallel move the Government created a hugely expanded role for agencies such as LandCorp. Added to the activities of Homeswest, it amounts to an enormous blowout in its activities.

A review was undertaken by the Institute of Public Affairs in this State in December 1995, only two years ago. At page 9 it deals with the lot production in the Perth metropolitan area over, I think, a 10 year period vis a vis the private and public sector. It reveals that in the last year of the last Labor Government - that is, 1992 to 1993 - between them Homeswest and LandCorp produced 2 018 lots. Two years later, under a coalition Government pledged to free enterprise principles, the lots produced did not amount to 2 000 but to 3 283 - a big increase in anyone's language.

From another point of view, the total government involvement in lot production by way of LandCorp and Homeswest in the last year of the Labor Government was 24 per cent; that is, 11 per cent with Homeswest and 14 per cent with LandCorp. The next year one would have expected to see government involvement decrease. However, it rose to 25 per cent. The rate of lot production by Homeswest increased in a quantum leap from 11 per cent to 17 per cent. Did it stop there? No. The following year, 1994-95, it increased to 22 per cent. That is double what was achieved in the last year of the Lawrence Labor Government.

Mr MacLean: That is because it is the Liberal philosophy to look after all people in the community.

Mr PENDAL: The member for Wanneroo must make up his mind what is Liberal philosophy. He says by interjection that it is the Liberal philosophy to look after poor people.

Mr MacLean: I said all people.

Mr PENDAL: The member must still make up his mind about his party's philosophical base. The coalition Government spent its first four years putting many people through a great deal of agony by closing government owned enterprises. Then it proceeded to build up its assets in the area of land production. Of all areas to build them up, I find that to be the most surprising.

I cannot understand the country members of this House, particularly those on the coalition side, who lament the fact that their services are being contracted or diminished - including for example, crucial health services - when the Government is expanding such vital community services in the metropolitan area as picture theatres. That is a real social target! There is a crisis in the hospital system and the Government's best response is to blame the Commonwealth. However, while that crisis exists in a legitimate public service, the Government is investing in picture theatres no less.

Earlier in the debate, the member for Wanneroo said that the Government's involvement was in the draft plan of 1988. This is 1997 and a coalition Government allegedly committed to free enterprise activities has had five years to do something about that. The Government cannot have it both ways; it cannot starve country areas of the most fundamental services and then give people non-essential services 10, 12 or 14 kilometres north of the central city, in an area which has an abundance of picture theatres. For God's sake, what is the Government doing in the picture theatre business? Half of the Cabinet has been involved in decreasing public sector involvement in activities that would otherwise be called legitimate. That is the contradiction. There is simply no answer. With all due respect, the rather pathetic interjections by the member for Wanneroo in trying to rescue whatever it is in his philosophy, was that the Government must be involved in land production over and above what a socialist Government was proud to have been doing five years ago!

Because I do not happen to be part of the Liberal Party, I have not changed my fundamental political or philosophical views. Therefore, I ask why we went through all that pain to get rid of BankWest - on reflection, that was a mistake; and why we got rid of State Print and other bodies that one could reasonably argue from a Liberal viewpoint the Government should not be part of, only to increase the Government's level of activity in lot production? I have addressed only up to 1994-95, and when the substantive debate comes on in a year, I will have much pleasure in extrapolating the figures through to the end of 1998! The Government must make up its mind.

Like most people in this place, I have many friends and relatives who live in country areas of Western Australia and if ever there were a case for us or for a Parliament of this size or a Government of this size to show a bias it is now. It should be a genuine bias for country and regional centres. It is a big area and not many people live in it. Mr Acting Speaker (Mr Ainsworth), I wonder what people in your electorate think when you say "I am sorry but we will have to see a little decline in this or that essential service, but the people of Esperance-Roe can be reassured to know that the people of Joondalup will have six new picture theatres". They would be very impressed if you had to do that! I am sure that would be the last thing you or any country member on that side of the House would want because it is such a paradox that that sort of situation is allowed to develop in Western Australia.

We are being asked to extend the sunset clause by one year. Like members who have resumed their seats, I am puzzled about the reason for that extension. When Parliament set the five year sunset clause, it was not an invitation to a government agency to begin a review when the legislation is four years and 10 months old; it is a statutory instruction to the agency and the Minister involved to undertake that in time for the sunset clause to lapse and a new Act to follow or - who knows - maybe even a repeal mechanism. I am puzzled by the reason for the extra 12 months. However, we have been asked to accept it and it seems to give a superb opportunity for the Government to look at its sense of priorities and, by all means, do what the member for Wanneroo suggested: Let Homeswest look after the low income earners who properly have an entitlement to low interest housing and other forms of accommodation. I have no problem with that; I do not know of any member who has. I do have trouble with the contradictions I have outlined and I will be interested to see what happens in the next 12 months. I support the Bill.

MR BAKER (Joondalup) [5.25 pm]: I support the Bill. I congratulate the board of LandCorp for the excellent job it is doing in developing the Joondalup city centre, particularly the central business district and business park. I also take this opportunity to congratulate the Minister for Lands for the way he has handled his portfolio since the state election. Much has been said about the proposed cinema complex in Joondalup. I would also like to respond succinctly and quickly to all the questions and issues put to the Minister here and outside the Chamber. One may ask what is the Government doing becoming involved in running cinemas? This Government will never be involved in running a cinema and has never made promises in that regard. It is one thing to construct a cinema complex and another to manage and run it. The Government has no intention of becoming involved in running or managing a cinema complex.

Several members interjected.

Mr BAKER: We will discuss that later. The Government has no intention to manage or run a cinema complex. The

proposed cinema complex will be a joint venture partnership with a private enterprise company in developing the cinema complex in Joondalup. One could ask what authority LandCorp has to become involved in a cinema complex?

Several members interjected.

The ACTING SPEAKER: Order! The member for South Perth will come to order.

Mr BAKER: One need go no further than the Act passed by this Parliament when the member for South Perth sat on this side of the Chamber. I refer here to the Western Australian Land Authority Act, which outlines what LandCorp is empowered to do. The fundamental starting point in analysing any legislation and its role in the community or the State is its objects. Section 3 outlines the objects of the Act, and reads -

3. The objects of this Act are -

- (a) the provision and development of industrial, commercial, residential and other land in a range of localities to meet the social and economic needs of the State;
- (b) the completion of the Joondalup Centre project;

What is meant by the term "Joondalup Centre project"? At all material times, the previous Government intended to construct a cinema complex in Joondalup. This has been on the drawing board for years. During the state election campaign in November last year, a public announcement was made, and all media were present. The announcement was reported in the *Wanneroo Times* and *The West Australian*, but not a word was said! The Labor Party did not say that it would scrap the cinema complex; it did not say that it would use the money intended for the cinema complex and spend it on health, education or transport. It said not one word! The member for South Perth said not one word! However, earlier this year when I asked a question of the Minister about how much would be spent on the complex, when construction would start and be completed, and what would be the social benefits of such a complex in Joondalup - not only in the construction phase and the spin-off in employment but also following completion - all hell broke loose! It was as though I had revealed a great secret. That indicates how members opposite sometimes do not take an interest in promises made during a state election campaign. Had the promise been kept under wraps, I could understand their attitude, and I would not be speaking now; but the fact is that the Government gave clear notice of its intention, and nothing was said. However, when I asked a question, at the first opportunity members opposite tried to score cheap political points.

Both this Government and the previous Labor Government gave a commitment to develop the Joondalup city centre, which included a cinema complex as an important integral part of the shopping centre. The Government will fulfil that commitment irrespective of what members opposite say and irrespective of whether the member for South Perth wants to can the complex or has a philosophical problem with the notion of the complex.

Several members interjected.

Mr BAKER: The fact is that a commitment was given to develop this complex and it will be developed. It is as simple as that. If the member wants to know the authority for the development and LandCorp's role, he should read the objects of the Act; namely, its fundamental provisions. The objectives give LandCorp the clear authority to proceed with such a development. In an ideal world in a free enterprise system, the Government should have no role at all in private enterprise.

Mr Pandal interjected.

Mr BAKER: We are not dealing with that issue - it is irrelevant! In an ideal world, the Government should have no role in any area where private enterprise can develop or conduct affairs -

Mr Pandal: Like picture theatres!

Mr BAKER: That is in the ideal world.

Several members interjected.

The ACTING SPEAKER: Order!

Mr BAKER: I accept the philosophy of the member's comment; however, he has missed the point. The commitment was given by the previous Labor Government, and re-confirmed by our Government during the 1996 state election campaign. The people of Joondalup have an expectation, and a right to believe, that the Government will deliver on its commitment. My job as the member for Joondalup is to ensure that the Government delivers, irrespective of philosophical concerns.

Mr Pandal: I thought we might just shoot that up to your pre-selection committee!

Mr BAKER: The member can if he wishes. It is a matter of delivering on promises; it is a matter of commitment and performance.

Several members interjected.

The ACTING SPEAKER: Order!

Several members interjected.

The ACTING SPEAKER (Mr Ainsworth): Order! If the member for Joondalup directed his remarks to the Chair, he would engender fewer interjections from the other side of the House.

Mr BAKER: My understanding is that the member for South Perth was sitting on this side of the Chamber when the Act was passed.

Mr Pandal: I was not even in this Chamber!

Mr BAKER: I apologise if that is the case.

Mr Pandal: One thing we did in the upper House was rescue you from yourself. My God, that is a full time job from the sounds of it!

Mr BAKER: Is the member saying that he voted against the Bill?

Mr Pandal: No.

Mr BAKER: Then he supported it. Did the member vote in support of it?

Mr Pandal: Yes, we did.

Mr BAKER: There we are! The member should read the objectives of the Act to refresh his memory on what he voted for. The Joondalup project is spelt out in black and white in the objectives.

Mr Pandal: Did you not hear? I am supporting the amendments, but I do not believe that you should be in the picture theatre business. It is a revelation to most people to learn that you are. You will probably have tailor shops on the go next time!

Mr BAKER: It is one thing to build something and another to conduct the business within the capital - the bricks and mortar. The Government is not involved in running the picture theatre.

Dr Constable: But you are making money out of it all the same.

Mr Shave: Don't you like the Government making money for those country hospitals?

The ACTING SPEAKER: Order! The member for Joondalup must address his remarks through the Chair, because addressing them to another member is causing excessive interjections from all quarters. Also, I remind the member for South Perth that his reputation for good behaviour in this place is being slightly tarnished today.

Mr Pandal: He is getting on my wick today.

The ACTING SPEAKER: Order! I do not want to call the member to order in a more severe way, but I may be forced to do so.

Mr BAKER: This is simply a case of delivering on a commitment. That is what we are dealing with at the cinema complex. I hope the issue can be put to bed for all time. The Government is not in the business of running cinemas; it is in the business of delivering on commitments and election promises. This was a promise made, and we propose to deliver on it. If members had objections about the proposal, they should have raised them at the time of the campaign, not six months later when people have voted following analysis of the promises.

Mr Riebeling: Like the doctor in the Nickol Bay hospital; that was another promise!

Mr BAKER: I was in Karratha a couple of weeks ago and I understand that Karratha has a few doctors who are not stationed at the hospital.

Several members interjected.

Mr BAKER: There are 10 or 11 doctors.

The ACTING SPEAKER: Order! I remind the member for Joondalup that the Bill before the House is the Western

Australian Land Authority Amendment Bill, not something to do with health in the north west. The member will direct his remarks to the Bill.

Mr BAKER: I apologise, Mr Acting Speaker, but I could not help but respond to that interjection.

I will not continue. LandCorp is doing an excellent job in Joondalup, and I commend its board, its chief executive officer and the Minister for Lands.

MR BROWN (Bassendean) [5.36 pm]: This brief Bill seeks to overcome what the Minister described in his second reading speech as an "anomaly in the Act". It is instructive before dealing with the so-called anomaly to understand how it came about, as the Minister does not explain that aspect.

Before dealing with the so-called anomaly, I outline the view of the current Government on Joondalup when in opposition. This matter was discussed in the other place when the present Attorney General, Hon Peter Foss, commented on the Joondalup Development Corporation and the role of LandCorp in relation to the principal Act. *Hansard*, page 3163 of 1992, reports the opposition spokesperson as follows when speaking to an amendment -

The amendment was placed on the Notice Paper to warn people that the Opposition does not believe the Joondalup Development Corporation should be included in the Western Australian Land Authority Bill.

The view of the Liberal Party was that LandCorp should play no role whatsoever in the Joondalup development.

Mr Pandal: I might put that in the mail to the member for Joondalup.

Mr BROWN: Indeed. Of course, all things change in politics, as we have learnt this afternoon: It is not a matter of policy, but whether promises were made irrespective of any policy position. Interestingly, the Minister for Lands refers to an anomaly in this unique Act. The problem provision with which the Minister must deal is section 52 of the Act; that is, the provision the Bill seeks to amend. The Act is unique as section 48 deals with the review of the Act, and section 52 deals with the duration of the Act. To that extent, it is unique. Generally speaking, legislation before this place tends to contain a review period or a sunset clause, but generally not both. It is unusual to have it set out in two separate sections.

The original legislation was introduced by the former Government. Therefore, one might question whether it was a drafting error by the former Government or some chicanery by the then Opposition, this Government, created through its numbers in the other place.

It is interesting to note that when the original legislation was debated in this House section 52 was not included in it. However, section 48 provided for a review period. At that stage the Real Estate Institute of Western Australia was concerned that the review provisions were not tight enough and it made representations to the former Government that the review position should be strengthened. It proposed that a review of the Act be carried out within 12 months of the Act being in operation for five years. That amendment was accepted by the Minister and the Government of the day and passed by this House, but the Bill was then forwarded to the other place. The upper House debated the adequacy, or otherwise, of the review provision. It is interesting to note in *Hansard* from where this problem section 52 came. If one turns to page 3178 of the 1992 *Hansard* one can read the argument that was put by the then Opposition, the now Government, promoting the inclusion of section 52. It was actually said, somewhat ludicrously as it turns out, that if section 52 was included in the legislation its accountability provisions would be strengthened. Section 48 of the legislation provides a mechanism for a review; that is, that after five years a review must occur. The amendment provided that that review must take place within the first 12 months after the expiration of that five years. However, that amendment was not strong enough for the then Opposition, the now Government; therefore, section 52 was included in the legislation by the other place. If members read *Hansard* they will find it was stated that the amendment would make the Government of the day more accountable. Unless that review is conducted within the time stated in the sunset clause, the legislation will lapse.

The amendment was justified on the basis that it would improve accountability. One can see how wrong that is. Members would be interested to know how many times these so-called anomalies in legislation occur through a deliberate attempt to make sure that legislation is either inconsistent or unworkable. When the previous Government was in office legislation would constantly be amended in the other place. However, when the Minister introduced this Bill he said in his second reading speech that the amendment was necessary to correct an anomaly in the Act. It is an anomaly - it was a stupid piece of drafting. No decent draftsman would be involved in drafting it and it certainly needs to be corrected. Today we are wasting the Parliament's time to correct a piece of bastardry that occurred five years ago. It is not the only time it has occurred. It occurs time and again. Members have seen it in the vocational legislation. Amendments were introduced by the then Opposition to make that legislation unworkable, and the former Government had to accept those amendments if it wanted the legislation passed.

The rationale for the Government's introducing this Bill is that the former Government was incompetent in bringing

forward legislation that was incoherent and unworkable. That is right, and many pieces of legislation were made unworkable by that process. Today we are debating changes that were imposed by the previous Opposition. It is interesting to actually consider that the rationale which was promoted at that time was increased accountability. Despite the arguments put by Hon John Halden in the other place that the legislation contained a review provision - that is, that the Government of the day, whatever its political persuasion, must carry out a review within five years, and within 12 months of the expiration of that five years, and would be required to table that review in both Houses of Parliament - the legislation was amended. That review provision was adequate and there was no need for the other provision to be included. Members are now aware that the prophetic words of Hon John Halden in that debate have been proved to be 100 per cent correct by virtue of this amendment.

It is important that there be a sense of balance in these things. Members must analyse the reasons for these so-called small, machinery pieces of legislation. They must also analyse why the so-called anomaly arose. If it is not explained one could be forgiven for believing that parliamentary counsel and the Minister who handled it were not competent and those who considered the legislation were not adept. If members arrived at that conclusion they would be wrong. I am pleased to have the opportunity to put that on the record. My only concern when these things are euphemistically referred to as an anomaly and, therefore, need to be corrected is that the history behind these issues is not properly set out. In fact, people reading the debate on this Bill in *Hansard* would have no way of knowing, unless they carried out the relevant research, how this came about. It is important to know the history behind the legislative processes.

It is not my intention to go beyond the precise proposal that is before the Parliament. I am sure that many people, not only in government but also in the community, who have an interest in the availability and development of land will have a keen interest in this matter. I am aware of the competing views in the community about the role of LandCorp and its future.

I look forward to reading the review to see how it deals with the competing views. I am pleased to have had the opportunity to put on the record today the reasons for this amendment. If it were not for that other process of imposing an unnecessary obligation, this Bill would be unnecessary, and the Parliament could get on and do more constructive things.

MR SHAVE (Alfred Cove - Minister for Lands) [5.50 pm]: I thank the members opposite for supporting the Government on this matter. People must understand that LandCorp's Act requires it to act commercially. It has an independent board. Although the Minister may direct the board, it has been the process that the Minister has not done that. The obvious reason is the intent that the board act commercially.

Members opposite have commented on some of LandCorp's activities and investments. The board must make commercial decisions. The board is a joint venture partner in the Joondalup development. Everyone seems to support that. Whether it be a prudent or proper commercial decision for a partner in a joint venture development who has agreed to do something to decide halfway through the development to pull the rug out from underneath the other partner is for the board of LandCorp to decide. I have said on a number of occasions that the board is part of that project and it will do what it is required to do. It will make an independent decision about that.

It is true that the Act requires a review to be conducted between July 1997 and July 1998. The sunset clause comes into effect in December 1997. An election was held in December 1996, and it could be that the former Minister did not feel it was appropriate to conduct the review earlier than the current date. I will not canvass that. I will clarify a few points for the member for Rockingham, the lead speaker for the Opposition. He claimed that LandCorp was pork-barrelling in marginal seats. That is not the case. LandCorp acts independently of the Government. The Joondalup development was formulated in 1973 or 1974. It was a long time ago.

The member for Rockingham may not be aware that LandCorp is involved in the east Rockingham industrial estate and in upgrading the Robb Jetty area. Point Peron is also in the member's electorate, and the proponents of a proposed marina development for that area want LandCorp to be involved in it. Has the member for Rockingham been promoting that proposal?

Mr McGowan: That proposal has been around for about 15 years.

Mr SHAVE: If the member promoted it perhaps LandCorp would jump in and do what his constituents want it to do. These points highlight that LandCorp is not operating only in one area or in marginal seats; it is looking at issues according to need and the requirements in the area.

The member for Nollamara commented on changes in the social infrastructure. The LandCorp board must decide whether to spend money on a library or other developments and whether that expenditure will increase the value of its investment. I would have thought that most developers would consider those aspects. To my knowledge, LandCorp's charter has not reduced its capacity to do that.

The member for South Perth commented on the rapid escalation of lot development by LandCorp and Homeswest. I am not the Minister responsible for Homeswest, so I cannot comment on its lot production.

Mr Pandal: You were the Minister during those times.

Mr SHAVE: I was Minister for Housing for a short three months. I would like to have made a number of changes, but I did not.

LandCorp's percentage of lot production is about 5 per cent. At the moment it is focusing on super lot production. I would be comfortable if LandCorp did not play a major part in selling individual housing lots.

Mr Pandal: What the Minister says is correct. LandCorp's lot production has come down; Homeswest's has gone up exponentially. If we add the two together you blokes are worse than when Labor was in power.

Mr SHAVE: That may be so; however, we are talking about LandCorp at the moment and not the Government per se. I do not think that the member for South Perth can lob that at my feet. I know he would like me to wear that, but LandCorp has been restricting its involvement in residential land development. I thank members for their support of this Bill.

Question put and passed.

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

Sitting suspended from 5.58 to 7.30 pm

LAND ADMINISTRATION BILL

Cognate Debate

On motion by Mr Shave (Minister for Lands), resolved -

That leave be granted for the Land Administration Bill and the Acts Amendment (Land Administration) Bill to be debated cognately, and that the Land Administration Bill be the principal Bill.

Second Reading

Resumed from 28 August.

MR MCGOWAN (Rockingham) [7.33 pm]: It gives me great pleasure to speak on this Bill and lead the debate on behalf of the Opposition. At the start, I place on record my condolences to the family of the Princess of Wales and, in particular, to her two children, Harry and William. I did not speak on the condolence motion today; however, as I represent an electorate that has a British-born population of over 40 per cent, I thought it appropriate to place on record my sorrow and also the sorrow of a great number of my constituents at the passing of the Princess of Wales. It is a sad loss to the United Kingdom, the Commonwealth and all of us.

I now turn to the matters at hand. I understand members will deal with the provisions of the Land Administration Bill, which is hefty legislation, via the Legislation Committee rather than go into Committee at the conclusion of this debate. We will deal with the intricate provisions of the Bill on another occasion. It is probably then that we will get into the finer points of the Bill and the problems that have been identified with specific clauses. I am happy to announce on behalf of the Opposition that opposition members support both Bills and have supported them for a great period.

The genesis of these Bills was apparently in 1986 when the then Minister for Lands, Hon Kay Hallahan, decided that the Land Act, which is over 60 years old, was due for amendment, as were other areas of land administration in this State. Considerable community debate has occurred since then. The drafting process of this Bill commenced in 1986. In 1988 a series of consultations began with various interested groups, including local government, the pastoral industry and the mining industry, and relevant government departments, including the Department of Land Administration, to decide what should be contained in the final form of the Bill. Wide ranging consultations and briefings across Western Australia began in 1988. Consultations took place with other jurisdictions around the nation to determine what they were doing in land administration and, in particular, in the area of crown land.

This Bill was introduced by the current Government in this House in December 1995, approximately 20 months ago, after an extensive consultation and drafting period. It then lapsed for approximately six months - I cannot tell the House why - and was reintroduced by the then Minister for Lands, Hon Graham Kierath, and second read on 27 June 1996. However, although that was six months before the last election, the Bill was unable to be dealt with by this House prior to prorogation before that election. That raises an interesting question: Why was it unable to be dealt with in the six months it sat in this Chamber prior to the election? The reason that question is relevant to the events

relating to your ruling two weeks ago, Mr Speaker, is that two weeks ago the Minister for Lands was shrill about the fact that this Bill was urgent.

Mr Carpenter: Shrill? He was hysterical.

Mr McGOWAN: Yes. He was ranting to a degree.

Mr Carpenter: He is still ranting.

Mr McGOWAN: Yes; he is prone to that. He had a slight temper tantrum and said that this Bill had to go through the Parliament immediately in order to satisfy the needs of the pastoral industry.

That begs the following questions: If this Bill was so urgent, why was it not passed in 1995 when it was first introduced into the Parliament, or in June 1996 when it was again introduced into the Parliament? It certainly had the support of the Opposition on both occasions as we agreed that these reforms needed to be made. Secondly, why did the Government go to the lengths of seeking to overturn your ruling, Mr Speaker, with regard to appropriation - a very good ruling that was consistent with past practice - and to depart from the precedents of this House in order to rush through a Bill which it has had the opportunity of putting through the Parliament for the past 20 months? The Government also risked the possibility that you would resign over that action on its part, which also would have been consistent with past precedents. The fact that this Bill has been in the House for 20 months is testament to the flimsy nature of those arguments about urgency. The Opposition has supported a Bill of this nature for a long time. Indeed, this Bill had its genesis when the Labor Party was in government in 1986. We believe that it is necessary to amend the Land Act, which is over 60 years old, and a number of other Acts, including the Local Government Act, which is also old and in need of amendment.

The purposes of the Bill are to enable the release of crown land in different tenures, and to enable crown land to be conveyed more easily to interest holders. Probably the most important part of the Bill is that it will provide a single registration system for both crown and freehold land tenures. All members who own land have a freehold title, and once that title has been registered by the Land Titles Office, it is indefeasible, or paramount over any other interest in that land. This Bill will provide the same Torrens land title system of protection for people who hold an interest in crown land.

The Bill will require that local governments be consulted about all proposals that affect crown land. It will also enable the Department of Land Administration to allow easy searching, public access and accountability to crown land tenure information. In the past someone who wanted to acquire an interest in crown land had to search through Department of Land Administration files, and it could take up to 13 weeks to determine whether there were any competing interests in that land or to obtain a certificate of title over crown land.

The Bill provides for annotations of memorials on the newly created register of crown land, which will mean that the title will indicate the presence of restrictive covenants, or of offensive odours or hazards on the land. The Bill will enable heritage, environmental and conservation interests or impediments on land to be noted on the title so that people who seek to acquire an interest in that land will know what factors may impact upon their ability to use that land in the future.

The Opposition supports the Bill because it will protect people who acquire or seek to acquire an interest in crown land, and will provide a simpler system for the administration of crown land. You would know, Mr Speaker, that between 90 per cent and 92 per cent of land in Western Australia is crown land.

The first area of the Bill that I will address in moderate detail is the Pastoral Lands Board. The Pastoral Lands Board is an expansion of the former Pastoral Board, which governed the operation of all pastoral leases in Western Australia, to include people from a number of areas which were not represented on the Pastoral Board. An additional member has been appointed to the Pastoral Lands Board with expertise in flora, fauna or land conservation management. As we all know, some of the worst aspects of farming are the major problems of salinity, land clearing and erosion.

Mr Carpenter: The National Party is the biggest problem with farming in Western Australia today.

Mr House: I hope you repeat that so Hansard can get it!

Mr Carpenter: I hope it did, and I will send it to your constituents.

Mr McGOWAN: No doubt the Minister is struck dumb by that interjection.

The Pastoral Lands Board will have a representative to ensure that these matters are taken into account in future so that we do not have a repeat of some of the appalling practices of the past, particularly in the wheatbelt, of which the Minister for Primary Industry would be well aware.

Mr House: Would you like to outline those appalling practices?

Mr McGOWAN: I would love to. Some months ago, the salinity issue was debated, and I recall that the Minister for Primary Industry contributed to that debate. The Opposition tried to draw the attention of the House to the fact that the Government made a commitment of \$3b prior to the last election -

Several members interjected.

Mr McGOWAN: The Government is not living up to its commitments. The Minister for Primary Industry could not answer that question during that debate. The main problem is the over-clearing of land in valleys. As a consequence, the watertable has risen and created more salinity -

Dr Turnbull: You are very wise in hindsight!

Mr McGOWAN: I am not trying to debate the rights or wrongs of farmers' clearing land more than 100 years ago -

Dr Turnbull: That is a judgment!

Mr McGOWAN: Will the member admit that it was an appalling practice?

Several members interjected.

The SPEAKER: Order! We do not want interjections from all over the Chamber. I remind the member for Rockingham that if he accepts interjections, the Chair is inclined to allow them to be dealt with. However, that can side-track the member onto other matters.

Mr McGOWAN: I am sure that the historians will be interested in the interjections by the member for Collie.

Appalling practices took place in farming areas in the past. Hopefully, the rejigged Pastoral Lands Board will have some knowledge of conservation matters and will be able to guard against land clearing to that degree in future.

Some time ago, the composition of the Pastoral Lands Board was raised. The second reading speech indicates that the composition of the board is designed to represent many interests across the pastoral industry and will involve conservationists. The current president of the board is a gentleman with some experience in these areas. However, there has been some speculation about whether a former politician will be appointed as the new chairperson. I refer here to Hon Phil Lockyer. I seek an indication from the Minister in that regard. If Hon Phil Lockyer is appointed, what would be the basis of that decision? I will allow the Minister to think about that so he can enlighten us when he responds.

Mr Shave: I hope that the member will not use it as a political tool if I make that decision.

Mr McGOWAN: I am very interested to know whether the Minister will make that decision. Perhaps the Minister can inform us now, if his enthusiasm is getting the best of him.

Mr Shave: I will respond at the appropriate time.

Mr McGOWAN: It is an expanded board; therefore I will be interested to know whether the chairperson's remuneration will be increased. If the chairperson is to be Hon Phil Lockyer, the point will be relevant to us and most Western Australians will be interested.

When the Bill was being drafted, apparently there was some debate about whether the board should set the rent paid by pastoralists for occupancy of the leases or whether it should be set by the Valuer General. I think the wisest decision has prevailed as the Valuer General will set the rent for the board. However, the Valuer General will consult with the board to determine an economic rate of rent.

The Bill outlines the permit system which will allow a diversity of activities on pastoral land. We are aware of much debate about the fact that many commercial activities have occurred without justification and without being covered by a pastoral lease. It appears that the lessees of pastoral land have been breaching the terms of the lease. I have gleaned that from my reading of the Press relating to the ongoing native title debate. Will the permit system retrospectively approve such activities by pastoralists and therefore retrospectively approve and validate the breaches? If not, what diversity of activities will the permit system allow? I would also like to know whether the permit system will enable the construction of premises to be converted to freehold, and what other commercial tourism ventures and money making activities will be allowed.

I turn now to the change in the classification of reserves. Currently, under the Land Act there are A, B and C class reserves, all of varying levels of conservation significance. An A class reserve does not permit any substantial human activity because of the character of the land. Under this Bill, the A class reserves will remain. A new category will

be referred to as reserved land. The remaining 46 B class reserves can be cancelled or amended only in accordance with the existing Land Act. The intention is that the Bill will simplify matters. However, the new arrangement is unduly complex. I seek clarification of the reason that the Government has adopted this system rather than create a new system which does not rely on a number of different Acts to govern the reserves system.

The Bill also deals with compulsory land acquisition. A number of Western Australian Bills enable land to be acquired compulsorily by the State Government. The constitutional position is that the Commonwealth Government can acquire land but only on just terms, but the State does not face the same requirement. Nevertheless, I understand that past practice has been that when land is acquired by the State, it is on terms similar to those which apply to the Commonwealth. A number of Acts enabling land to be acquired compulsorily administer Westrail, Main Roads and the Department of Conservation and Land Management. No doubt, good reasons exist for those measures. When constructing railways or roads, or creating reserves, sometimes a need arises for the Government to acquire land to meet objectives.

However, it was argued by the Standing Committee on Government Agencies in 1994 that all such methods of compulsory land acquisition should be amalgamated under one Act; therefore, when government acquires land compulsorily for any government purposes, it should do so under one Act and one set of principles rather than spread over a range of areas. This Bill sets out a technique of compulsory land acquisition primarily in relation to pastoral leases, but it does not cover mining tenements and such matters. Why did the Government not go down the route of applying one Act to land acquisition relating to all matters?

The Land Administration Bill also covers endorsing certificates of title with various rights, interests and encumbrances on a parcel of land. At present, in order to determine what rights or interests might affect crown land, one must review a number of Department of Land Administration files, and it can often take up to 13 weeks to make a determination in that regard. It is nothing like the system which operates for freehold title, for which one can walk into the office of land title and find out almost immediately the interests such as easements or profit à prendre which affect a parcel of land.

The proposed new system of land title will be similar to that applying to freehold, so these interests will be able to be registered on the title deeds; therefore, one will be able to find out immediately what is going on. That is a great development. I am sure that many people acquiring an interest in crown land will be pleased to hear about that change.

Naturally, it will take time for the rights, interests and encumbrances to be noted on title deeds. In the intervening period, which I assume will be a very long time - anything up to years - will people acquire interest in crown land on the understanding that no encumbrance are on that land and subsequently discover those interests exist? The Government needs to put in place a mechanism to ensure people are not disadvantaged in this way or future legal action might be launched by people suffering from such a fault in the system.

The Bill sets out that consultation will occur with local government on all actions relating to crown land affected by the Land Administration Bill. I am sure local government will appreciate that development. If crown land is to be disposed of and some interest is to be acquired in that land, the local government which represents the area in which the crown land is situated will be able to know what is taking place; therefore, its interests will be accommodated. Local government will not have any power of veto in relation to actions on crown land, but certainly it will have its interests forthrightly put to the Department of Land Administration which may be disposing of the land for a party or acting in some way in relation to the land.

Also, the Bill provides for road tenure which was formerly covered by the Local Government Act. This is a confusing part of the legislation, but it allows road tenure provisions which were previously covered by the Local Government Act to be incorporated into this Bill. It brings them all across into this measure. From my reading of the Bill, that is an improvement on the current situation.

The second reading speech sets out that the Bill is not contrary to the provision of the commonwealth Native Title Act. Constitutionally, if the measure were contrary to the Native Title Act, it would be subservient to that Act to the extent of the inconsistency. That is an important point. We have an ongoing native title debate in this country, particularly in relation to pastoral leases. We must ensure that we get it right in this Bill. I accept the assurances of the Minister that the Government is fully cognisant of the effects of the Native Title Act and the Wik judgment.

Clause 165(2) of the Bill deals with compulsory acquisition of land, and outlines that land may be acquired by the Minister if it confers an economic or social benefit on the State or the relevant region or locality. This provisions may allow land which is subject to native title to be acquired by the Government. Although the provisions looks at face value to apply not only to native title but to all forms of title, if this provision is used only in relation to land subject to native title, it may well breach the commonwealth Racial Discrimination Act. I am sure all members are

familiar with that legislation as a result of the native title debate. We will deal with clause 165(2) in the Legislation Committee. It is an important provision which the Minister might like to address in his response to the debate.

The Bill provides that ministerial approval must be obtained to transfer pastoral leases of over 5 000 hectares. I presume the ministerial approval will be in the form of an administrative arrangement through the Department of Land Administration. The purpose of the ministerial approval is to ensure that certain pastoralists do not acquire too much land. That sort of arrangement has been in place throughout the history of Australia. The Opposition is pleased with that provision because it provides a reasonable technique to ensure that the interests of smaller leaseholders are taken into account and the bigger leaseholders will not be able to walk over them.

The Bill provides for a number of administrative efficiencies. Under this Bill, the Governor will no longer be involved in the transfer of land and the responsibilities will be devolved from the Governor in Executive Council to the Minister for Lands.

The Bill represents a major effort by the Department of Land Administration and it should be congratulated for the amount of work and effort that it has put into it. I attended a briefing on this Bill a few months ago and the primary aspect that was dealt with was the registration of crown land. Under this legislation it will be registered in a similar way as is freehold land. The department officers who provided the briefing were excited about this system and said it would create a better and more efficient system of land administration across Western Australia. It is essential that adequate expenditure is allocated to purchasing a suitable computer system and software as well as to training the departmental staff to ensure that they are able to keep up with what is provided for in the Bill. It is a complex piece of legislation and I am sure only two or three members in this House have read it in detail.

Mr Carpenter: It is a very heavy burden to bear.

Mr McGOWAN: It is and I am sure members are grateful that a few members have gone to great lengths to understand this Bill.

The staff at the Department of Land Administration will need training and ongoing experience before they fully understand the provisions of this Bill. The Government could find itself in a lot of trouble if the staff make mistakes in administering this legislation because it is vicariously liable for their mistakes. The Minister will have to make sure his staff are up to speed with the provisions of the Bill. An education campaign across the pastoral industry will be necessary. I know it was consulted in the construction and drafting of this Bill; however, I am sure the representatives of the organisations that were consulted involved only a few of the people involved in the industry. Many of the people involved at the grassroots level of this industry would not be familiar with the provisions of the Bill. Therefore, there should be considerable consultation with those people.

The Opposition supports this Bill. The events surrounding this simple Bill which is acceptable to members on both sides of the House was a damaging episode in the history of this Parliament. The Minister should be very wary before he becomes involved in the appointment of a political bedfellow to the position of chairperson of the Pastoral Lands Board, a position which brings with it substantial remuneration.

Mr Shave: Do you think he should be excluded because he was a former politician?

Mr McGOWAN: There is a strong argument that people involved in politics should have to wait a long time before they are given a government appointment. Ordinary people of Western Australia think there is too much patronage dispensed by the Government. A lot of people hold that view very strongly. If the Minister were to ask them what they do not like about politicians one of the first things they would say is that so many politicians receive government appointments after they leave Parliament.

I am not saying that previous politicians should be disqualified from holding positions either inside or outside the Public Service, but there should be a long period between the conclusion of their parliamentary service and their entering into paid government employment. Earlier this year, there were a number of examples of that not happening and the Government wore the public opprobrium for that. The Minister should consider seriously whether to take this course of action so soon after the person has left this Parliament. He would be ill-advised to do so.

MR KOBELKE (Nollamara) [8.17 pm]: I am pleased to be able to speak in support of these land Bills, which are extremely important pieces of legislation. Their importance is reflected in not only their gestation period and the amount of work that has been involved in their preparation, but also the fundamental nature of this legislation to the whole society.

These Bills underpin the property rights which the citizens of this State and nation enjoy. Australia has a proud tradition in respect of legislation and the registration of land under the Torrens system, a South Australian invention, that this State has taken up and which is a part of this legislation.

The property rights the people of this State have come to enjoy and which they wish to hold onto are fundamental to our whole way of life and to the values in society. We speak about the value of families, but too often we do not make the connection through to the legislative and administrative decisions that are made and which can affect families in far reaching ways. I will come back to that.

First, I will talk about the general principles of the legislation. The aspiration of a young couple is to own a home and have it as the centre for their family. Without decent property rights people cannot do that. In my electorate, which is multicultural, I am on a regular basis in contact with new Australians who came to Australia in the 1950s and later. They have strived very hard to own property for their family. In many cases both the husband and wife have worked and in some cases they have held down two jobs. Some of them have reached the stage of owning two or three properties because they see that as the inheritance they will pass on to their children. The property right is a central part of what they consider is important for them and their families. The legislation with which we are dealing has that social impact even though it may seem distant from the technicalities in the Bill. We also know that those families may enter into business, and the value of the property can be an important asset to allow small business to raise funds and run that business. The certainty that a good Land Administration Act provides is fundamental to small business, and when they move to larger commercial enterprises they clearly need certainty in the land laws, whether they relate to freehold, native title or access to crown land. Those issues spread through society from people's ability to do business, create wealth and benefit the workers and citizens of this State through to individual families who need certainty in their landholding.

The system in Western Australia has served it well. It is one of the best systems in the world, but the matter cannot be allowed to rest. We live in a dynamically changing world. I understand that system has been sold to other countries. I refer to the fact that this State has contracts with the Government of Vietnam to help it with the development of a land titling system, and with one of the provinces of China. Those are simple examples of Western Australia selling the expertise and fundamentals of the good land system in this State. In addition, there have been major developments in the use of modern information technology for the handling of the land system. It has enabled electronic searching of titles, which real estate agents can do from their offices, and this legislation will in part enable a move to electronic lodgment and transfer of titles. Although the legislation must guarantee the fundamentals of our system and ensure they are preserved and work well, it must also move with the times and address the changing needs of land ownership and administration in this State. Those changes are driven from a range of perspectives, one of which is the uncertainty that has arisen through the High Court's Mabo decisions.

It is appropriate at this stage to place on the record my real concern that as a result of what has happened in Western Australia, this country has a second best system to deal with issues arising from native title. The High Court decision was made in 1992 and elections were held in 1993, at which time there was a great deal of uncertainty because this was new to the legal system in Australia. It was not new to legal systems throughout the world that were based on the British system, and there was plenty of precedent in almost all those countries. Australia was the odd one out in not taking up native title as laid down in the British system. There was a great deal of uncertainty because the High Court decision overturned the terra nullius doctrine that had prominence in the Australian legal system. The difficulty confronted at that stage was beyond the current Government to handle, and that is most unfortunate. There is now commonwealth legislation which the WA Government continually attacks, but at the time it refused to take the opportunity to be involved in the formation of that legislation.

The Premier of this State said the High Court decision was wrong. He tried to turn back the tide and ignore the reality of the High Court decision and the tradition of this matter throughout the British legal system. This Government refused to recognise that. That led the Commonwealth Government, because of the opposition of the Court Government in Western Australia and other conservative Governments, to put in place legislation to deal with a situation of confrontation. When complex legislation must be introduced in an atmosphere of confrontation, it means the detail must be tied down. A broad brush approach could not be used to lay down the principles, whereby people would cooperate to make it work. That was not an option to the Federal Government because for more than 12 months the Court Government refused to recognise the principle of native title as established in the Mabo decisions. That resulted in legislation which is second best.

The problem is that it impinged directly on the land administration laws of this State, because we all know that land administration is a state responsibility. Therefore, a conflict arose whereby the Commonwealth through the 1967 constitutional amendment and the High Court decision had very clear powers to act with respect to native title. However, the functioning of the law and enablement of the processes had to be through state laws. Had this ridiculous confrontation not taken place between the Commonwealth and the State, we would have had legislation that was much simpler and more workable. We are now trying to address that issue, and I understand further amendments will be introduced later this year following the commonwealth legislation in light of the Wik decision which followed the Mabo decisions.

I now refer to the Bill. I will not go into detail on the various clauses because a range of issues is involved. They are quite technical and often complex, and are more appropriately handled at the Committee stage. I understand this will be handled by a separate legislation committee. I will comment on that in due course. I have more general remarks about the importance of this legislation and various factors relating to it as a whole.

According to the second reading speech, this Bill started with consultation in 1988; therefore, it has been almost 10 years in the making. It was introduced into the Legislative Council in December 1995. Even though that legislation had been seven years in preparation at that stage, it was found to contain some major problems. The Government had intended to introduce some amendments, but decided they were so complex that they would be incorporated in a new Bill. In June 1996 this Bill was introduced as a new print incorporating all those amendments.

In March 1997 the Bill before us now was introduced into the Legislative Council. Clearly, it was around for quite some time. The Bill proposed by this Government has been around for most of the Government's first term in office. The Government obviously considers this to be very important legislation because it has overturned your ruling, Mr Speaker. I make the point that it has been considered very important since the Government's first term of office. I have not heard any suggestion - such a suggestion would be without foundation - that this legislation is not fundamentally the legislation introduced into the other place prior to the election in 1996. With this Bill the Government is finishing part of the legislative program of its first term of office. I do not have a problem with that but I place it on the record because they are the clear facts. This Bill was around in the Government's first term of office; the Government does not consider it incidental but rather considers it to be important, even going to the lengths it has to debate it in this place after it has been through the Legislative Council, and to overturn the Speaker's ruling.

I labour the point because it means that the Premier in launching his election campaign told the people of this State a gross untruth. We are all aware that when the Premier announced the early election on Thursday, 14 November 1996 a great deal of trouble was taken to organise a live broadcast from the Liberal Party headquarters which would go straight into the 6 o'clock news on commercial television stations. It was very well prepared. The Premier was not doing his normal doorstep routine. He had set up the whole thing. It was very carefully scripted and he had his answers prepared. When he was asked, "Why are you going early, Premier?" he answered in part, "Now we have completed our agenda for four years." A bit later he said, "We have completed our task" and he repeated that. The Premier of this State contrived an early election, set up a media special to the 6 o'clock news and had all his lines worked out. He told the people of this State, "Re-elect us because in part we have completed the agenda of our first term." He said, "Now we have completed our agenda for four years." That was absolutely not true.

The proof is the legislation we are now debating, because we are now passing legislation which the Government had in its first term of office and did not complete. No other argument can be made for the passage of this Bill. No-one will come up with a lame excuse that somehow things have changed. This has been developing since 1988 and was a key part of the Government's agenda for its first term, and is certainly a key part of its present agenda. We have seen the lengths which have been gone to for this legislation to be passed through this Parliament. The Government did that prior to the change in composition of the other place, yet the Premier in a carefully scripted and prepared speech said that the Government had completed its agenda for four years. That certainly makes one stop and think that we had the Premier seeking re-election on the basis of that total falsehood. I do not see how else one can interpret that, given what we are doing today.

The other piece of evidence would be the industrial relations legislation, which the Government brought on even though the Premier had said the Government had completed its agenda for the first four years. We saw that take up a great deal of parliamentary time in the first half of this year.

I will make a few brief comments about the Government's use of its numbers to overrule your decision, Mr Speaker, on the appropriateness of this Bill starting its passage in the other place. I believe the technical details of your ruling are quite good, but clearly they are open to interpretation. One can argue over such matters and put a slightly different emphasis on them. Different Bills may be seen in slightly different ways. People might argue the relative merits one way or the other. That is not the crucial element in this case. In section 46(5) of the Constitution Acts Amendment Act we read -

Except as provided in this section, the Legislative Council shall have equal power with the Legislative Assembly in respect of all Bills.

Section 46 clearly states that the power of the section, which alludes to where appropriation or money Bills start, is the only difference in respect of Bills between the two Houses. Therefore, to assert the primacy of this Chamber in the Legislature of this State, it is important that we do not just discard the ruling of the Speaker on whether legislation should have started in this House. Subsection (9) underlines that because whether the Bill is passed, starting in the other place and then coming through this Chamber, cannot be challenged subsequently in a court of law. The passage

of legislation through the Parliament ends the matter of the validity of its passage through the Parliament. Subsection (9) in part provides that whether it upholds its primacy under subsections (5) and (1) will be up to the rulings of this Chamber. If the House does not uphold that, it is shifting the balance of power. What the Government has done in overturning your ruling, Mr Speaker, is to shift the balance of power between the two Houses. It has downgraded the power over legislation of the Legislative Assembly and enhanced the power of the Legislative Council. In doing that it has set a precedent.

Mr Bloffwitch interjected.

The SPEAKER: Order!

Mr KOBELKE: I will take the interjection.

Mr Bloffwitch: It does not seem to matter that the Bill has waited two and a half years and pastoralists and others need to be certain about their property rights. You are saying that because of the precedents of this House, you will just abandon them. I do not agree with you.

Mr KOBELKE: What is the basis for the member's suggestion that taking the Bill through the other place would have produced the same result that we will get?

Mr Bloffwitch: It has been nearly two and a half years since we promised the people that we would deliver on this legislative package. Surely even you would say that after two and a half years you would put it through.

Mr KOBELKE: I appreciate the interjection by the member for Geraldton. Would he stop for a moment and think about what he has said?

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

Mr Bloffwitch: Yes I will.

Mr KOBELKE: He is saying that his Government produced this legislation two and a half years ago.

Mr Bloffwitch: I am saying that the Minister and others concerned said two and a half years ago that this legislation would be introduced. Being a normal person, I thought it would go through in six to seven months.

Mr KOBELKE: I accept that. I now want to know whether the member thinks the Premier was incompetent when he said that at the press conference or whether he was deliberately trying to deceive the people of this State. The member knew two and a half years ago. Why did the Premier not know?

Mr Bloffwitch: Having seen some of the antics, the delaying tactics and stonewalling in this Parliament, I am not surprised that this Bill has had to resurface again and again.

Mr KOBELKE: I think the member has lost the plot. The Bill has not been delayed by us, because it was not previously debated. The member's understanding is that this legislation was promised two and a half years ago. However, at approximately 6.02 pm on 14 November last year at a carefully scripted press presentation the Premier did not know as much as the member did, or the Premier set out to deceive the people of this State. The member for Geraldton can answer that on another occasion.

Point of Order

Mr BLOFFSWITCH: The member has indicated that something was said at 6.02. He has not stated whether it was morning or evening. That leaves me in a dilemma as to what time of the day it was.

The SPEAKER: The member for Geraldton has no point of order. He might have a wandering point of view.

Debate Resumed

Mr KOBELKE: I am sure the member's alarm clock does not go off until after 6.02 am and I think he is still asleep. The point that we were deceived by the Premier is amply made. The member for Geraldton has supported me with his comments.

Mr Bloffwitch interjected.

The SPEAKER: Order!

Mr KOBELKE: Why has the Government gone to such lengths to overturn your ruling, Mr Speaker? Members may have a view about potential obstruction to this Bill, but clearly there has been no obstruction to date by the Labor Party or the minor parties in this Parliament. They may have some concerns that that might occur, but there is no evidence of it. The fact that they went to extraordinary lengths in overturning your ruling, Mr Speaker, in setting a

precedent which shifts the balance of power to initiate legislation from this Chamber in part to the other Chamber signifies that they believe this legislation is important and that it should have been passed in the coalition's first term of government. Again that emphasises that the Premier did not tell the truth in his announcement of the early election.

I refer briefly to the move in this legislation to encompass the creation of titles for crown land. This has been going on for five or six years. It is a major project. To date it has been done administratively. However, this Bill will provide a legislative basis for the creation of crown titles along similar lines to freehold titles. That is very important in increasing the efficiency and reliability of our land title system. It came to light as a result of the Mabo decision and native title when searching the history of individual titles of land, given it was crown land and not captured on the Torrens system. The old system presented a more complex problem. When this new system is in place it will make those issues administratively more simple.

In the past the Government did not always know which land holdings it had. That is not a big problem away from built-up areas or townsites. In the past when the Government wanted to find land for an agency to put in a facility there was no register to indicate which sites were owned by other agencies. Crown titles were held in a form which did not lead to the most efficient administration of government land.

A local example occurred in Nollamara where an elderly widow sold her home on a quarter-acre block and bought another property to which she wanted to move. She needed the sale to be finalised in order to purchase the other property, a situation with which we will all be familiar. The real estate agent whom I will not identify, but for whom I have little respect, convinced the elderly lady to allow possession of her Nollamara property prior to settlement. The widow moved out to stay with her daughter for a short period, believing she would then be able to settle on her other property and move in. However, she discovered that the Nollamara house in which she had lived for 30 years did not have a title, therefore settlement was delayed until a title was created. At that stage that could have taken as long as three to six months.

The situation arose because that area of Nollamara was opened up in the late 1950s as a war service and State Housing Commission area. Many of the State Housing Commission homes were based on a special form of lease. I think they were called a lease for working man's housing or something similar. Titles were not created. Crown land was leased to the State Housing Commission from which people bought homes in which they lived for 30 years or more.

As a result of the failings of the settlement agent and the real estate agent, a woman was in a totally unacceptable situation. When I made representation to the Department of Land Administration I was thankful for the way the title was expedited in a matter of weeks, rather than months, so that the widow could settle on her property. The plight of that elderly lady illustrates some of the problems in the past due to the lack of title for crown land which this legislation will formalise.

Legislation must be right. In this case it is quite technical and complex. If we do not get it right we can open up a range of problems such as the ones we experienced in our electorates over the past couple of years as a result of the strata title legislation. Huge angst was created for many elderly people by having administrative and cost problems loaded onto them when, with good intention, we changed the Strata Titles Act. Unfortunately we did not get the details right. That created huge problems for thousands of Western Australians, many of whom were looking forward to enjoying their retirement in the home they had moved into. We must ensure that no similar problems are hidden in the necessary detail of this legislation.

I thank the Minister for his undertaking to refer this Bill to the Legislation Committee to examine this in detail. I am fairly confident that any changes will be of a minor, technical nature. If a few bugbears or potential problems arise we will know about them. In six or 12 months we will not have people coming into our electorate offices showing us what the land titles legislation has done to their property. We do not want them to be involved in a sale only to find out that as a result of something in the Land Administration Bill they face problems. We must ensure we have it right.

A huge amount of work has gone into this legislation by competent people who are dedicated to upholding the highest possible standards in our land administration system. However that does not mean mistakes were not made. In light of the complexities and issues involved we must make sure the legislation works. I commend the Minister for agreeing to send it to a committee so that it can be examined expeditiously.

The last time I served on a committee like that it examined the water Bill, which had many similarities to this legislation; that is, the use of water and the right to water is fundamental to the functioning of commerce and industry and to our society. However, unfortunately with that Bill, which again was developed over about 10 years, very poor consultation occurred. The Water Authority had been remiss and not spoken to all the interest groups. The

committee sent it back to the Water Authority requesting that it consult the community, which it did over two or three months. I understand that consultation has been undertaken on this Bill; therefore I hope we can deal with it expeditiously and pass it through Parliament without undue delay.

MR SHAVE (Alfred Cove - Minister for Lands) [8.48 pm]: I thank members opposite for their support of the Bill. The member for Rockingham was concerned about the period of consultation. Community consultation on this Bill began in 1988 and full consultation has been undertaken with all parties involved.

Mr Bloffwitch: Why are we sending it to a committee if it started in 1988?

The SPEAKER: Order!

Mr SHAVE: It has been a long process undertaken by this Government, the previous Government and the Department of Land Administration.

The member for Rockingham referred to the conservation member on the board. Agriculture Western Australia provides rangeland reports when pastoral leases are sold and every five years. If members have concerns about the fact that conservation issues have not been addressed by the board, I point out that the current board and the industry do that. In fact, my experience is that people involved in these areas are as conscious of conservation issues as those distant observers. If one does not look after one's property or business - no matter what it may be - one pays the price in subsequent years. I would not like members to think that the current Government does not recognise the very significant contribution that pastoralists make.

The member for Rockingham also referred to the permit system. Current approved activities on pastoral leases will be considered under that system and the implementation of the provisions will provide for a diversity of activities on leases. The Government will welcome any proposals that pastoralists put forward which encourage export income for the State and the country and which create jobs for people in various areas.

The member also made reference to reserves. The Bill now contains only one reserve class; that is, a class A reserve. The class B reserves currently in the Act will be transitioned from the old Act; they will not be removed. Because there will now be only class A reserves, all remaining reserves - class C reserves under the current Act - will be referred to as "reserves" in the Bill.

The member for Rockingham also raised the issue of compulsory acquisitions. The Bill provides the authority for the taking of land. Other Acts will link into this Act so that only one Act will apply for such acquisitions. Compulsory acquisition to confer economic and social benefit - clause 165 - was enacted in the Land Acquisition and Public Works Act so that the Act complies with the native title legislation. Any state legislation that conflicts with the commonwealth legislation is invalid. Therefore, if native title legislation is passed and adjustments need be made to the Act to facilitate that, that will be done. However, the Government's understanding is that the major provisions in the existing Act will be complementary.

The member also raised the issue of Department of Land Administration training and community awareness programs. The Government has provided funding for an implementation team to put the new procedures and policies in place and to commence community awareness programs. Explanation of what is involved and the opportunities that occur as a result of these changes will be fully discussed with the community.

The crown land registration system is very important because now all interests will eventually be registered on crown land titles. This should avoid a conflict of interest where a further interest is granted without someone who has an interest in the land being aware of the fact. At present the department endeavours to ensure that that does not occur. However, having a title system and having the interests registered on a title should eliminate that.

The member also spoke about the chairperson of the Pastoral Lands Board. He had some concerns about whether former members of Parliament should or should not fill that position. Clearly he has a very strong view on that issue. No decision has been made about who the chairman of the board will be and the Government will address that at the appropriate time.

Mr McGowan: When will that be?

Mr SHAVE: I have not had discussions with the current chairman regarding his position. I understand that he might be interested in finalising his involvement at the end of this year. It would be inappropriate to comment on that before this legislation is passed, particularly as I must get recommendations from the existing board. I must also ask community organisations to nominate candidates; it is not a matter of the Government's picking someone just because they are a former member of Parliament.

Mr Riebeling interjected.

Mr SHAVE: That is possible; some of those organisations might support such a candidate. In the past members opposite have also appointed people -

Mr McGowan interjected.

Mr SHAVE: Members opposite are telling me not to do what they have done. They do not want me to mention the way they have behaved in the past. However, they want to ensure that I do not consider a certain person because they believe he or she is inappropriate. It is unfair of members opposite to continue to single out Hon Phil Lockyer and cast doubt on his ability and capacity. At the appropriate time the Government will make a decision. I said when I was asked this question some time ago that the Government has not made a decision as yet. Members on this side will go through a thorough process and come up with a very competent person at the appropriate time.

The member for Nollamara referred to international projects. I am glad that DOLA's leadership in title registration and land information is recognised. It is very gratifying for me when people come from places such as Vietnam to look at our system and to seek support. If we develop those links now - particularly through a land agency where there is not a great deal of initial gain to be made - that will help in our further relationships with those countries when trade is being discussed.

The Bill's legislative history was also raised by the member for Rockingham and the member for Nollamara. It was introduced towards the end of 1995 and was left on the Table for consultation over the Christmas period. The community responded and amendments were made in 1996, but the Bill lapsed because the Parliament was prorogued. At that time, the Labor spokesperson in the other place fully supported the Bill.

This Bill will be referred to the Legislation Committee. The member for Nollamara and the member for Rockingham are members of that committee. When those clauses are discussed in more detail I am sure they will be more than happy with the explanations, comments and detail provided.

Mr Jeremy Talbot, the Deputy Parliamentary Counsel, passed away two weeks ago. He was instrumental in the drafting of this legislation, and his knowledge and experience is reflected in the quality of the work. The Government takes this opportunity to recognise Mr Talbot's work and dedication and to extend condolences to his family. On behalf of the DOLA officers who worked with Mr Talbot, I would like recorded in *Hansard* their sincere appreciation for his support and the work that he put into this legislation. He will certainly be missed.

I thank all members for their contributions to the debate and I look forward to the passage of this legislation through the Parliament in the near future.

Question put and passed.

Bill read a second time.

Referral to Legislation Committee

MR BARNETT (Cottesloe - Leader of the House) [9.02 pm]: I move -

That the Bill be referred to a legislation committee for report to the House by Thursday, 16 October.

This Bill and the associated Bill have 425 clauses and five schedules. There is general support in the House for the provisions of the legislation. The legislation committee format was the result of the work of the committee into procedure which you chaired, Mr Speaker. It has been used on only one occasion - in relation to the censorship Bill. Most members who served on that legislation committee regarded it as an effective procedure. I recognise that members who will serve on the committee will be putting in extra time and I thank them in anticipation for the work they will do.

Question put and passed.

Membership of Committee

On motion by Mr Barnett (Leader of the House), resolved -

That the members for Moore, Wanneroo, Mitchell, Ningaloo and the Minister for Lands be nominated to serve as the government members on the committee.

On motion by Mr McGowan, resolved -

That the members for Maylands, Nollamara, Rockingham and Bassendean be nominated to serve as the opposition members on the committee.

ACTS AMENDMENT (LAND ADMINISTRATION) BILL

Second Reading

Resumed from 28 August.

Question put and passed.

Bill read a second time.

Referral to Legislation Committee

On motion by Mr Barnett (Leader of the House), resolved -

That the Bill be referred to a legislation committee of the House to report by Thursday, 16 October.

Membership of Committee

On motion by Mr Barnett (Leader of the House), resolved -

That the members for Moore, Wanneroo, Mitchell, Ningaloo and the Minister for Lands be nominated to serve as government members on the committee.

On motion by Mr McGowan, resolved -

That the members for Maylands, Nollamara, Rockingham and Bassendean be nominated to serve as opposition members on the committee.

GRAIN MARKETING AMENDMENT BILL

Second Reading

Resumed from 28 August.

MR GRILL (Eyre) [9.06 pm]: We seem to be moving through the Government's legislation at a fast rate. We understood this Bill would be debated tomorrow, so it has taken us a little by surprise. We hope to be able to debate it adequately this evening and do justice to the legislation.

This Bill amends legislation relating to the Grain Marketing Authority, or the Grain Pool as it is known in Western Australia. It has statutory marketing powers in respect of what are called prescribed grains. At present they are barley, angustifolius lupins, rapeseed, the politically correct name for which now is canola, and linseed. If this legislation is passed, linseed will be removed from the list and there will be only three prescribed grains.

The Grain Pool of Western Australia has a reasonably long history. I went to a function last week at the Burswood Casino entertainment centre at which the Grain Pool celebrated, with a lot of glitz and glamour, its seventy-fifth anniversary. The function was patronised by people from around the world, which shows that the Grain Pool is held in high regard by people from many countries. There were also representatives from other States of Australia, and farmers, growers and producers from this State.

We support this legislation. The Bill sets out to modernise the marketing and accountability arrangements under which the Grain Pool operates. The Grain Pool has established a well deserved reputation as an innovative and professional international and domestic marketer of grain. We hope the passage of this legislation through both Houses will enable it to preserve that reputation in the future.

The Opposition hopes that this Bill will enable the Grain Pool to enter the next century with the flexibility and capacity to continue to hold or improve its position in the international grain trade, which is among the most competitive in the world. The Bill makes some fundamental changes to the principal Act. The Grain Marketing Act was passed in 1975, and it amalgamated the Grain Pool, the barley board and the seed board to form the Grain Pool of Western Australia as we know it today.

The Bill deregulates the domestic market for prescribed grains; that is, barley, angustifolius lupins and canola. It deregulates the export market for value added grains; that is, where a change is made to the physical characteristics of the grain. It relaxes export restrictions for prescribed grains in bags or containers, with some qualifications which I will mention later. As I have already indicated it completely deregulates linseed, so that linseed will cease to be a prescribed grain in the future. It also increases the board by one member. That extra member will be nominated by the Minister.

The Bill also introduces improved accountability measures in line with recommendations of the Burt Commission on Accountability. Madam Speaker (Ms McHale) will remember the Burt commission recommendations of some

years ago which have served Western Australia very well. They were an initiative of the Dowding Government. This legislation will also improve the Grain Pool's accountability to growers. It will remove the legal requirement for the producers' council. It allows the board to set up and/or hold shares in companies in Australia and overseas. Perhaps the Minister could advise members of the extent to which the Grain Pool already holds shares in other companies. I presume it does, and this formalises the situation.

Mr House: It does have some - for example, where people have built up shares in Wesfarmers over a period. There would be minor issues of that nature.

Mr GRILL: I have thrown that across the Chamber to the Minister for Primary Industry as I doubt we will go into Committee on this Bill. What is the status of that shareholding and the trading that has taken place?

Mr House: I do not know the detail. I will provide a full explanation for the member.

Mr GRILL: This legislation allows the board to hedge or trade in futures only to the extent necessary to limit the risk in the physical marketplace. Perhaps the Minister will advise us on this area, which is somewhat unclear. The limits to which the Grain Pool can hedge and trade in futures will be a matter of some conjecture and debate as time goes on.

The Opposition believes that the Bill will have the effect of retaining the marketing benefits of the single desk export operation. That is close to the hearts of growers in Western Australia. In fact, the framework of the system that has been in place for the past 75 years will remain intact after the passing of this legislation. Western Australia is adopting a slightly different path with the Grain Pool than the Federal Government has taken with the Wheat Board. It will be interesting to see which path is the more successful. The single desk export operation will remain in place and growers will feel a lot easier about that.

The legislation will also allow new marketeers to enter export fields for valued added grain. The Minister indicated in his second reading speech that in anticipation of this legislation, some processors had gone down that road. The legislation will also allow wholegrain to be exported in small amounts in containers and bags to most countries, except to Japan and Thailand. A further effect will be to bring marketing arrangements for grain into line with existing commonwealth arrangements for wheat. Western Australia has a contractually binding obligation under the competition policy which has been adopted by the State and Federal Governments. That policy is embraced to some degree by this legislation.

The Government and the Opposition hope the changes will create new employment, particularly in the value adding and export arenas. We all hope that will be highly successful. The major effect of the legislation will be to modernise the marketing and accountability conditions in which the Grain Pool will operate.

The Opposition has a few questions on some of these effects. Why does the Minister want to formally disband the producers' council when it will probably remain in effect and give advice to the Minister on an informal basis? The Opposition also queries whether value adding is sufficiently described within the legislation. It is bound to be a contentious area. There are bound to be some sharp operators within the industry who will want to fudge in relation to this definition. In his second reading speech the Minister indicated that the grading of grain will not be counted as a value adding process. However, there might be other shades of grey within which sharp operators can allege that value adding is taking place.

The Opposition also asks the Minister to explain the need for a further ministerial appointment. Currently, the board has seven members; the chairman is elected by the other members of the board. The Minister wants to appoint a further member to the board with commercial expertise. No doubt the Minister has a very good reason for this, and we would like to hear it.

The Opposition supports this legislation, particularly those aspects of the new legislation which will improve the accountability requirements on the Grain Pool to the growers. That is a good move. In this Bill there is a degree of recognition that the Grain Pool's legislation also faces another round of scrutiny. In that sense I refer to the need for the Grain Pool to meet the test of the national competition policy principles. I touched on that earlier, as did the Minister in the second reading speech when he advised that the Act is scheduled for a national competitive principles review in the next financial year. As part of that review, the single desk selling mechanism - I have already indicated that is supported by most growers in this State - must meet a test of public interest. No doubt, there will be some disciplined scrutiny of that public interest test.

The Bill makes provision for a review of the legislation within five years of its proclamation. That intervening period will allow time within which this legislation can be assessed to see the impact of the changes and whether they meet changing market conditions and arrangements. The factors which have driven the need for change are more closely related to the sweeping reforms in the world market place than to domestic policy. The international market has

undergone quite considerable change over the past decade or so. For instance, a few years ago a number of countries wanted to operate on a Government to Government basis. In most cases that is no longer the situation. Very few countries want to deal on that basis today. That has been a major change.

There must be greater flexibility in dealing with the new market in which there are some very big American players, which operate in our domestic market and against which we must compete, as well as a whole plethora of smaller operators which are trying to pick up a niche for themselves in the world market. We need that flexibility. I understand the Government is hopeful that this legislation will allow the Grain Pool to have the flexibility that is necessary to deal with that changing situation.

I have already indicated that the Grain Pool is going down a slightly different path from that which has been adopted at the federal level by the Australian Wheat Board which is to be corporatised, but not privatised. The Grain Pool is not adopting that approach. As I have mentioned, essentially it is continuing with the structure it has had for the past 75 years. It will be interesting to see which approach is the most successful at the end of the day.

As I said before, the Opposition would have liked just a little more time to consider this legislation. We would have liked to debate it at greater length, but that was not to be the case. The Government seems to be slipping through its legislative program very quickly. It is not that we have any grave doubts about this legislation; we do not. In fact, we support it quite strongly. However, we would have liked to have the opportunity of examining it a little more closely and to have debated it at greater length. Having said that, I again indicate that we support the legislation.

MR RIEBELING (Burrup) [9.24 pm]: Before I comment on this legislation, which will not be very lengthy, I will make a couple of remarks about the previous speaker, the member for Eyre. Many people in this place, I hope, noticed in last Friday's newspaper an announcement that after eight years the member for Eyre is no longer being investigated by the police. I put on record my profound amazement at the amount of faith he has in our system. He was always very confident that in the end the system would find he had no charges to face and that he would come through the investigation unscathed. I do not know how many members in this place could withstand eight years of investigation by the police to that extent. The way he has come through this investigation is a credit to him. The support given to him by his family, Shannon, Siobhan and Lesley, is outstanding.

Mr Grill: Thanks, Fred.

Mr RIEBELING: It is always good to follow the member for Eyre when speaking on this sort of legislation, particularly when he has the same speech notes as I have, because he covers basically everything I want to say. I support this legislation, although there is not a huge number of grain producers in my electorate. In fact, if there was one, I would be surprised. I am hoping that the principle behind the legislation shows a change of heart, to some extent, from people on the other side of the House. I see this as a positive step in retaining the marketing system which gives us an advantage. Everyone in this place should applaud that. It provides the grain producers with greater security in pricing than would otherwise be the case if the marketing board was removed.

I wondered whether the member for South Perth, having lots of wheat and barley producers in his electorate, was about to make a comment.

Mr House: That is not as funny as it sounds because he has the barley research centre for breeding barley in his electorate and a lot of those people are his constituents. I expect him to make a long and worthy contribution to this debate.

Mr RIEBELING: He probably will. Every time he makes a contribution, it is a lengthy one, but may not always be worthwhile.

Mr Pandal: I am a Kellogg man, myself!

Mr RIEBELING: However, we always welcome his contribution to a debate. It is good to see that in these amendments there is an attempt to modernise the operations of the Grain Pool. That has been brought about by a number of factors, which the member for Eyre has gone through. The two most compelling reasons for the changes are, firstly, the change in the world market in grain which has been quite dramatic, given the upheavals over the past 10 years in the world political scene. Prior to the collapse of the structure of the Soviet Union, there was a great reliance on national bodies entering into contracts with other national bodies for whatever reason. There still is; however, the emergence of other ways of marketing and of private organisations entering into that market has forced the world scene to change. This Bill is a reflection, partly, on that particular drive.

The second interesting thing is that the reforms enunciated in the Hilmer Report about competition policy have required these changes. I understand a special exemption will be required to be given by the competition policy people to allow this board to continue to operate. In fact, this change will be in effect for only five years, at the end of which the impact of the changes will be assessed and modifications will be made if necessary. I understand the

advantages to growers from this type of marketing. However, why was the export market of value added products not retained under the broader marketing umbrella?

Mr House: It is a very competitive market, particularly with things such as lupins, with which Western Australia competes with the soya bean market in the United States. That controls the price. Value adding to things like lupins by, say, de-hulling them, is expensive. Unless we provide an incentive to do that, it will not happen. For a range of reasons we must value add in Australia as many primary products as we can.

Mr RIEBELING: Removing it gives them a greater advantage?

Mr House: Yes.

Mr RIEBELING: As someone who does not know a great deal about the marketing of grain, it struck me that there would be the same advantage with processed or value added products as non-value added products.

Mr House: For years agricultural marketing was regulated strictly. Because of that we did not build up a great knowledge of expertise and investment in value adding. We are trying to move towards that slowly. We cannot turn it upside down in just one hit, because we could not handle it; we are trying to move towards that in a progressive way.

Mr RIEBELING: I presume the Government is confident it will be able to identify future advantages in the same manner as the single marketing body allowed the Government to move into value added products to give the producers that advantage. Does the Minister think he will lose some of the ability to look into a crystal ball, so to speak, and say what the Government should be doing?

Mr House: The Grain Pool of Western Australia will not necessarily be the value adder. It will take a little time to get a good feeling about whether what we are doing is successful. We have opened the door and we will see whether people take advantage of having that door opened. We may have to make another adjustment in a few years' time if we do not get the result we think we should.

Mr RIEBELING: My only concern is that monopolies can use that position to look into more marginal projects that might produce huge profits. However, if one is not in that dominant position, one sometimes does not have the ability to be as adventurous as one once was. I understand there is a definite downside to that. However, I hope the ability remains to look for the advantage in the market for the growers and producers. Does the Minister have any fear about that?

Mr House: No, I do not have any fear about any of that. As I indicated, we are moving into a new era. It is a matter of seeing how it works over the next couple of years.

Mr RIEBELING: I thank the Minister for those answers. The removal of the legal requirement for a producers' council is identified as one of the principal changes. I am not a great believer in removing effective councils. The Minister might tell me that the council has not met for 10 years and has not produced any improvements in the industry.

Mr House: That issue was raised by the member for Eyre. I will answer it when I reply to the second reading debate.

Mr RIEBELING: Another matter that was mentioned briefly by the member for Eyre was the ability of the board to trade in the futures market. That sounds good. The risk will be limited; however, in limiting the risk there may also be some loss of profitability. To what extent will the board be able to go into the futures market and what benefits will that have, not necessarily for the board, but for producers and the like of the product? That is whom this Bill is about protecting.

The single desk system gives grain producers a distinct advantage and provides the advantage of job security, which is something for which the whole community is striving. I am pleased the Minister for Primary Industry has decided to move in this manner which at least will give one section of our community the security that many sections are seeking. It is good that the marketing system will be modernised and that the marketing and accountability of Grain Pool operators will be enhanced. This House will applaud that move to more efficiency.

I mentioned previously that changes in the international market have somewhat forced changes to a body that has operated successfully in Western Australia for the past 75 years. Few bodies in Australia have managed to survive for 75 years, basically unchanged, and still produce benefits that in 1997 are still recognised by a Government that is driven by economic rationalism. The board has done an outstanding job. I hope it continues to do that for many years to come. The method the Minister is using is far superior to the Australian Wheat Board's approach to a similar problem. Western Australia will see greater returns for its efforts than the Australian Wheat Board will see. I congratulate the Minister and hope the legislation achieves all he hopes it will.

DR EDWARDS (Maylands) [9.38 pm]: I use as my first excuse for making these remarks on this Bill the fact that the first farm in this colony was in Maylands, so I feel entitled to talk on a Bill such as this. Also I am the Opposition's environment spokesperson; therefore, the first thing I will do is talk about the environment in which the Grain Pool of WA operates. By "environment" I mean more the business environment and the complexity of that, rather than the physical environment.

The Grain Pool is an established grower marketing system that represents 6 000 growers of these grains in Western Australia. The value of the industry is around \$500m per annum, which makes it pretty significant. It also has given 75 years of service to Western Australia. It has been around for a long period and obviously has been held in confidence by growers. Interestingly, I noted that a survey was done of the people who are in the Grain Pool and that there was overwhelming support for its efforts. That says something about the organisation and about the changes in this Bill which will move the body forward so it better assists those people. Although it is described as a marketing system, it gives much assistance with production. I was interested to read in the Grain Pool's annual report that it has appointed people such as lupin production specialists to ensure lupin crops meet the targets the markets require. The Grain Pool is obviously an organisation that effectively represents the interests of the people whom it is looking after and that is moving on as their needs change.

One of the benefits that is described in the Grain Pool's most recent annual report is its capacity to respond to problems in its industry. It points out that when a fungal disease was noted in lupins in the area around Geraldton, it was able to respond within two days with a plan to manage that crisis. Many other industries might be jealous of a body that had the support of its representatives and was able to move so quickly to tackle such a serious problem as the outbreak of anthracnose.

The report mentions a number of other things that are done by the Grain Pool. The first grain that is described is barley. The report states that in 1995-96 barley production increased by nearly 60 per cent. Another part of the report states that the area sown to barley increased by only 30 per cent, so presumably the farmers must have had a good season to get such an increased yield. I hope that also says something about the Grain Pool's research activities, where it got people to grow species of barley that gave better yields per hectare. The report also points out that in 1995-96 it gained an increased share in the Japanese market, which is quite a difficult market to break into.

One problem that farmers always face is the weather. The report separates each section on each grain into the market, which is obviously very important because that is from where farmers receive their returns, and also into the season, which represents the vagaries of nature that farmers must face. For example, in December 1995 there was a lot of rain in the south coast areas which affected the barley crop, and as a result the board responded immediately by producing a new grade of barley into which the rain affected grain could be fed, and although that was perhaps poor quality grain, farmers could still sell it, and over 11 000 tonnes of that barley became feed barley.

The report points out also that the Grain Pool is actively involved in grower education and is now moving towards producing malt barley, which I am sure will please many members of this House.

The next grain that is described is lupins. I was interested to read that the Grain Pool has put together all of its data and figured out what will be the potential markets worldwide up to 2005, and it came to the conclusion that there is a gap in that market and an opportunity for Western Australian growers to be in that market. It is now looking actively at a program of lupin market development. The same issues arise with canola. There is obviously a market for that product into which we can tap, but I understand that issues arise with regard to quality and that the Grain Pool is researching the nitrogen and oil content of canola. The report ends with the comment that the long term outlook is extremely positive.

From what I know of farming, it is important that a diversity of grains is available to farmers, for two reasons: Firstly, if the market in one commodity falls, farmers will have the knowledge, skills and capacity to sow other crops in order to stabilise their income. The second reason is environmental. These grains can be alternated between certain types of cereal crops. Some of these grains are probably more beneficial to the environment than some of the standard crops that we have grown over time.

I turn now to oats. Having grown up on a farm where quite a lot of oats were sown each year, it is not a grain that I like particularly, and I have vivid memories of itching every time I struck it. However, I have never realised that the market for oats is apparently quite finite, and that presents a challenge to us.

Dr Hames: Most people do not boast about sowing their oats!

Dr EDWARDS: Wait and see what I will come to next! I understand from the annual report that one of the problems with oats is something called flag smut contamination, which is deemed to be different from flag smut contamination in the United States of America.

Mr Cowan: You should cut out that smut and filth!

Dr EDWARDS: The National Party is the party that promotes smut!

Mr Cowan: I would say that my integrity is being impugned!

Dr EDWARDS: Madam Acting Speaker (Ms McHale) seems not to be acting on that.

I gather they are now doing research and lobbying and want to prove that Australian flag smut is the same as USA flag smut.

The Grain Pool is quite a complex organisation that is providing advice about the production of various grains, that is doing research, that is engaged in lobbying, and that has now two sections, which perhaps the Minister can explain in some detail - the pooling section and the corporate arm. In addition, it has a chartering division, and in 1995-96 it chartered 38 vessels. It appears from the annual report that the number of vessels it has chartered has declined, but I imagine that has come about because it is using the vessels better and is combining shipments of grain to a few places rather than just one.

Mr House: That is exactly right.

Dr EDWARDS: The Minister for Primary Industry initiated a review of the Grain Pool. Until I started to look at this matter, I had not realised the volatility of the Grain Pool environment, because it is obvious from the media clippings and people's comments that while the Grain Pool has the support of many farmers, a lot of politics is involved in it. I am glad the Minister is dealing with it and not I. I would appreciate it if the Minister in his response could tell us more about the review. I understand that it was a comprehensive review of the Grain Pool's activities and that part of the background was the national competition objectives. I understand also that what has eventuated will go a long way towards meeting those national competition policy objectives but that there is still some way to go.

I am not clear about whether the review report was eventually released to the public, because the media reports that I have seen refer to what they think will be in the report and also to what they think one of the consultants who was commissioned as part of that report has said. I understand that the report recommended that there be full deregulation, but as members have heard tonight we do not support that because we support the Minister's Bill.

I turn now to an article that refers initially to the Australian Wheat Board and then to other grain marketing activities. In this article, a man who is a former Australian Wheat Board employee and now a trader commented that now that farmers have access to things like market information, faxes, phones and e-mails they are "no longer ripe for exploitation by traders". He saw that as a reason for the establishment of the AWB and presumably also things like the Grain Pool. I disagree. I am not saying that farmers are not smart or cannot evaluate that information, but recently I had a conversation with a farmer, I think in the Minister's electorate, who had two telephone lines on his farm but two houses on that farm, so it was almost impossible for him to have a dedicated line for a fax machine, and presumably it would be difficult for him to be connected to the Internet and receive e-mail and access all the information that this trader thinks all farmers can access. In this State that is not physically possible.

Mr House: You are right. It is a very real problem for those of us who live in rural Western Australia, because, to give an example, the homestead on my farm is over a mile from the main road. That means that it would be an enormous cost to bring in another phone line in order to have a dedicated fax line. Many people would be in that situation. That denies us the opportunity of accessing some of those modern means of communication.

Dr EDWARDS: What farmer wants to come in after a 12 to 14 hour day on a tractor and look at a computer to find out what the markets have done? The Grain Pool is doing research and lobbying and appears to have the support of many farmers who can work at the next level where dedicated staff will look at the information and advise the officers who are part of the Grain Pool. I was pleased to see in the annual report that communications were improving and that is important given the information to which they have access.

The Opposition supports the Bill which modernises and increases the accountability of the Grain Pool. It deregulates the domestic market for barley, angustifolius lupins and canola, and deregulates the export market for value added grains which have the potential to find a niche market.

I think I understand what a single desk export operation is, but it is not described anywhere. Can the Minister explain?

Mr House: The term is normally used to describe an organisation that has grain prescribed to it by legislation which it cannot dispose of in other ways. In this case, barley, lupins and canola are prescribed by legislation to be sold through one organisation. That is called a single desk.

Dr EDWARDS: The Opposition supports the Bill, and it will watch its progress with interest. I will be interested to see whether it can generate employment, particularly in country areas, because that will be a very welcome side benefit.

MR HOUSE (Stirling - Minister for Primary Industry) [9.52 pm]: I thank the members for Maylands, Burrup and Eyre for their contribution to the debate and for their support. This Bill was borne out of my desire to make some changes to the way we operate in the grain market through the Grain Pool. We launched a comprehensive review after discussion with key industry people. After a number of meetings in rural Western Australia they produced some recommendations which have culminated in this legislation.

It is fair to say that the Grain Pool of Western Australia enjoys a large amount of support for its activities in this State. It is also fair to say that the proposed changes have received much support from grain growers. As outlined in the second reading speech, this Bill seeks to modernise the activities in a more commercial way which is more acceptable to today's marketplace and to today's growers. Certainly it is acceptable in the sense of competition policy and the way we see agriculture in this State progressing to a more accountable system, which has not always been the case in the past. The Bill will encourage value adding of primary production in this State particularly, so that we can prepare ourselves for the future in competition with other world players, because the grain market is not only volatile but also very competitive. Grain prices fluctuate dramatically. I will return to those points because they are the key issues that have been raised.

The member for Eyre referred to shares and share trading. As I indicated by way of interjection, I do not have the detail of that information at this time, but I will arrange for the member to be briefed or to receive that detailed information. If he has any problem with that, we can deal with it in the other place.

Mr Grill: That is fine.

MR HOUSE: The member also spoke about the futures market and the new hedging arrangements. Many farmers are demanding an ability to sell their product forward to achieve some certainty of the price structure. Under the old arrangements with the Grain Pool we have not always been able to do that. If the Grain Pool is to give a guaranteed price to farmers by forward purchasing the pool must be able to hedge that off to counteract any large drop in grain prices in the next seven or eight months. It needs to trade that price in the futures market, and that will be possible under these new arrangements. However, the Bill provides that the Grain Pool must inform the Minister of the ceiling in total dollars; and keep the Minister informed about those trading activities. The Minister is required to table that information in Parliament so that both Houses are kept informed. That has been the case in the past with trading organisations of this type in other States. New South Wales is the best example because about 10 years ago it got into dreadful trouble with forward trading and left a large liability behind it. We want to ensure that does not happen. I have the utmost confidence in the Grain Pool executive and board, but we must ensure provisions are in place for the future, whether that be the Minister, the Government, the administrators or members of the board.

The Bill encourages value adding to all products of grain producers in this State by deregulating past requirements. I expect the prime beneficiary of the deregulation will be lupin producers, because there is an opportunity to dehull lupins and to add considerable value in some markets. The Grain Pool has not taken advantage of that situation, but private enterprise will. As I said earlier by way of interjection, it will take a couple of years to test that process. However, it is an opportunity to open the door and see what happens. The majority of producers and the Grain Pool support that move.

The member for Eyre also referred to the disbanding of the producers' council. It was felt by not only the review team but also the WA Farmers Federation and the Pastoralists and Graziers Association that there were better ways to have a consultation process rather than having a complicated elected producers' council which needed certain requirements to be in touch with the Grain Pool. That process has been replaced by a formal agreement between the Farmers Federation and the Pastoralists and Graziers Association to provide information on a regular meeting basis so that they will be kept informed of the activities. Therefore, I do not see any downside to the disbanding of the producers' council; it is part of the modernisation of the whole process.

The member for Eyre also raised the issue of the Minister's appointments to the board. There have been two in the past, and this Bill allows for three. I have had extensive discussions with the Grain Pool about that issue. The member will know, of course, that the modern arrangements with the Australian Wheat Board have led to the appointment of people with a particular expertise. It is my view that as we move towards a more commercially operated board, we need particular expertise outside that which might be popularly elected. If we are to forward trade in large amounts of money, and if we are to consider new markets, we need expertise outside what is necessarily elected.

That point was accepted by the Grain Pool. I expect that I will have further consultation with its members about

exactly what expertise it will have. One of my appointments is someone with international marketing experience in other primary production, and another person comes with wide banking experience. We might look for someone with knowledge, for example, of futures marketing or something of that nature. However, I would not like to lock myself into that until I have had discussions with the board.

Mr Grill: I thought there would be a reasonable explanation for it. On behalf of the Opposition I accept that.

Mr HOUSE: I thank the member for that. Some previous speakers referred to the national competition policy. The Grain Pool must undergo that test over the next 12 to 18 months. These changes establish a good starting point for us to answer that challenge. Although many changes have occurred in the marketplace, our customers' and producers' needs have changed. We are now moving towards an ability to indicate to the national competition policy review that what we are doing can be seen as having a general benefit. Although growers' knowledge and expectations of their marketing organisations have changed, there is still broad support for the concepts.

The member for Eyre pointed out quite rightly that we are going down a slightly different path from the Australian Wheat Board with its more corporatised model. The Grain Pool is preparing itself to take that direction if need be. I do not think that in one leap the change could be made from what existed to a fully corporatised model. The Wheat Board has been heading in the general direction of a corporatised model for some time; it is more ready for it.

I suggested that the Grain Pool set itself up for the future to provide for a totally corporatised model that might not have the protection of legislation on prescribed grains, but would be strong enough to stand in the marketplace in its own right as a competitor or trader with other people who might be in that business. I am sure the Opposition will agree that if the Grain Pool did not operate in that efficient manner and provide the best possible service we would be concerned about that because the returns to producers would not be as good as they should be. Our support as a Parliament generally, which is needed for this sort of legislation, would not be forthcoming. I think the Grain Pool is aware of that and is quickly moving down that path. The expertise that people like Ken Palmer have brought to the board have headed it in that direction.

Mr Grill: It is worrying to see so many of these big American companies gobbling up our utilities and taking a big share of the wheat market.

Mr HOUSE: I can assure the member that as a grain producer - grain is the primary part of my farm income - it worries me more than a little bit. In Western Australia we think the Grain Pool is a big deal. It sells 1 million tonnes of barley, 1 million tonnes of lupins, a bit of canola and a few other things. The Australian Wheat Board trades between 15 million and 20 million tonnes a year on the world market out of a total production of 24 million or 25 million tonnes depending on the growing conditions in Australia. However, on the world stage that is chickenfeed. The State of Kansas alone in the United States trades annually between 16 million and 20 million tonnes. The danger for us is that we could easily be gobbled up by those entities and run over completely and not have the strength in the marketplace that some sort of organised or orderly marketing gives us.

The Grain Pool gives us that strength; that is why it is supported. I will go so far as to say that many people who talk about a free market for those commodities do not understand the reality. They tend to think that the principle of free marketing will necessarily give us a better return. There is a good argument to suggest that that might not be the case. It is arguable that we get strength through the unity we have in these organisations.

Mr Grill: At least with free marketing they have some control over their own destiny.

Mr HOUSE: Yes, but equally each organisation must operate in an open and accountable way and encompass best business practices to get the best returns for growers.

Apart from the competition policy review which we must go through in the next 18 months, another review of this legislation will be undertaken within the next five years. Industry and Parliament will have the opportunity of scrutinising the benefits of these changes within that time. I thank members opposite for their contribution and support.

Question put and passed.

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

BILLS (2) - RETURNED

1. Professional Standards Bill.
2. Acts Amendment (Auxiliary Judges) Bill.

Bills returned from the Council without amendment.

ACTS AMENDMENT (LEGAL COSTS) BILL

Receipt and First Reading

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

House adjourned at 10.08 pm

QUESTIONS ON NOTICE

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

COMMITTEES AND BOARDS - EDUCATION

Membership

1306. Dr CONSTABLE to the Minister for Education:

Further to your answer to question on notice 28 of 1997, who are the members of the following boards, when and for what period were the members appointed, what remuneration is paid to each member and, where appropriate, who are the government appointees -

- (a) Curtin University of Technology Council;
- (b) Edith Cowan University of Western Australia Council;
- (c) Murdoch University Senate;
- (d) Muresk Institute of Agriculture Board of Management;
- (e) The University of Western Australia Senate;
- (f) Western Australian Higher Education Council?

Mr BARNETT replied:

- (a)-(f) See tabled paper for members, terms of appointment and Government appointees. The members do not receive remuneration for their service. [See paper No 651.]

MAIN ROADS WESTERN AUSTRALIA - DEPOTS AND EMPLOYEES

1334. Mr RIEBELING to the Minister representing the Minister for Transport:

With regard to the activities of the Main Roads Department located in the State electorates of

- (a) Albany;
- (b) Avon;
- (c) Bunbury;
- (d) Burrup;
- (e) Collie;
- (f) Dawesville;
- (g) Eyre;
- (h) Geraldton;
- (i) Greenough;
- (j) Kalgoorlie;
- (k) Kimberley;
- (l) Mandurah;
- (m) Merredin;
- (n) Mitchell;
- (o) Moore;
- (p) Murray-Wellington;
- (q) Ningaloo;
- (r) Pilbara;
- (s) Roe;
- (t) Vasse;
- (u) Wagin;
- (v) Warren-Blackwood,

- (i) where are the Main Roads depots or offices located;
- (ii) how many Main Roads employees are located at each of these depots or offices?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (a) Albany
 - (i) The office and depot are located in Albany.

- (ii) The office employs 80 staff.
- (b) Avon
 - (i) The office is located in Northam and depots are located in Brookton, Northam, 6AM Hill Northam and York.
 - (ii) The Northam office and depot employs 102 staff.
- (c) Bunbury
 - (i) There are no Main Roads offices or depots located in the Bunbury Electorate.
 - (ii) Not applicable.
- (d) Burrup
 - (i) There are two depots located in Karratha.
 - (ii) The depots have no employees.
- (e) Collie
 - (i) The depot is located in Donnybrook.
 - (ii) The depot has no employees.
- (f) Dawesville
 - (i) There are no Main Roads offices or depots located in the Dawesville Electorate.
 - (ii) Not applicable.
- (g) Eyre
 - (i) The depots are located in Balladonia, Caiguna, Cocklebiddy, Leonora, Madura, Mundrabilla, Norseman and Southern Cross.
 - (ii) The depots have no employees.
- (h) Geraldton
 - (i) The office and depot are located in Geraldton.
 - (ii) The office and depot employs 75 employees.
- (i) Greenough
 - (i) The depots are located in Dongara, Mingenew, Morawa, Mullewa and Northampton.
 - (ii) The depots have no employees.
- (j) Kalgoorlie
 - (i) The office and depot are located in Kalgoorlie.
 - (ii) The office and depot employs 81 employees.
- (k) Kimberley
 - (i) The offices are located in Derby and Kununurra and the depots are located in Sandfire, Derby, Kununurra, Black Flag Creek, Broome, Ellendale, Warmun and Fitzroy Crossing.
 - (ii) The Derby office and depot employs 66 employees and the Kununurra office and depot employs 29 employees.
- (l) Mandurah
 - (i) The depot is located in Mandurah.
 - (ii) The depot has no employees.
- (m) Merredin
 - (i) The depots are located in Bruce Rock, Kondinin, Doodlakine, Merredin, Mukinbudin, Tammin, Trayning and Wyalkatchem.
 - (ii) The depots have no employees.
- (n) Mitchell
 - (i) The office and depot for Mitchell is located in Bunbury.
 - (ii)-(iii) The office and depot employs 164 employees.

- (o) Moore
 - (i) The depots are located in Badgingarra, Chittering, Dalwallinu, Gingin, Goomalling, Kwolyin, Moora, Perenjori, Walebing, Wongan Hills, Carnamah and Eneabba.
 - (ii) The depots have no employees.
- (p) Murray - Wellington
 - (i) There are no Main Roads offices or depots located in the Murray - Wellington Electorate.
 - (ii) Not applicable.
- (q) Ningaloo
 - (i) The office is located in Carnarvon and depots are located in Cue, Eurardy, Kumarina, Meekatharra, Mt Magnet, Yalgoo, Carnarvon, Exmouth, Minilya, Nanutarra, Overlander, Winning and Newman.
 - (ii) The Carnarvon office and depot employs 55 employees.
- (r) Pilbara
 - (i) The office is located in South Hedland and the depots are located in Wedgefield, Halls Creek, Nillibubbuca and Wiluna.
 - (ii) The South Hedland office employs 33 employees and the Wedgefield depot employs 30 employees.
- (s) Roe
 - (i) The depots are located in Borden, Jerramungup, Munglinup, Ravensthorpe, Lake Grace, Lake King and Esperance.
 - (ii) The depots have no employees.
- (t) Vasse
 - (i) The depot is located in Busselton.
 - (ii) The depot has no employees.
- (u) Wagin
 - (i) The office is located in Narrogin and the depots are located in Kojonup, Narrogin, Arthur River, Narrakine, North Bannister, Wagin, Wickepin and Williams.
 - (ii) The Narrogin office and depot employs 63 employees.
- (v) Warren-Blackwood
 - (i) The depots are located in Margaret River and Manjimup.
 - (ii) These depots have no employees.

GOVERNMENT CONTRACTS - EMPLOYER ORGANISATIONS

Details

1358. Mr KOBELKE to the Minister for Housing; Aboriginal Affairs; Water Resources:
- (1) Have any departments or agencies within the Minister's portfolios, let or made contracts, grants, or secondments, since 1 July 1995 to the Western Australian Chamber of Commerce and Industry, or any other employer organisations or bodies established or controlled by an employer organisation?
 - (2) If yes, then what are the details of each case including -
 - (a) the department or agency involved;
 - (b) the recipient of the contract, grant or secondment;
 - (c) a description of the purpose for the contract, grant or secondment; and
 - (d) the value or cost of the contract, grant or secondment?

Dr HAMES replied:

Homeswest:

(1)-(2) No, but Homeswest provides annual sponsorships to some peak bodies.

Rural Housing Authority:

(1) No.

(2) Not applicable.

Government Employees Housing Authority:

(1) The Government Employees' Housing Authority has not let or made contracts, grants or secondments to any employer organisation since 1 July 1995

(2) Not applicable.

Water & Rivers Commission including the Swan River Trust:

(1) No.

(2) Answered by (1).

Water Corporation:

(1) The Water Corporation currently has no contracts with employer organisations but since 1 July 1995 has let 4 contracts to the (1) one employer organisation, the Chamber of Commerce and Industry.

(2)

(a)	(b)	(c)	(d)
Water Corporation	Various	Safety Consultancy	\$4,400
Water Corporation	S. Pratton	Human Resources Consultant	\$2,560
Water Corporation	Various	Quality Management System Consultants	\$1,450
Water Corporation	S. Reed	Apprentice	\$6,047.20

Office of Water Regulation:

(1) No.

(2) Not applicable.

Aboriginal Affairs:

(1) No.

(2) Not applicable.

GOVERNMENT CONTRACTS - EMPLOYER ORGANISATIONS

Details

1367. Mr KOBELKE to the Minister representing the Minister for Transport:

(1) Have any departments or agencies within the Minister's portfolios, let or made contracts, grants, or secondments, since 1 July 1995 to the Western Australian Chamber of Commerce and Industry, or any other employer organisations or bodies established or controlled by an employer organisation?

(2) If yes, then what are the details of each case including -

(a) the department or agency involved;

(b) the recipient of the contract, grant or secondment;

(c) a description of the purpose for the contract, grant or secondment; and

- (d) the value or cost of the contract, grant or secondment?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

Main Roads Western Australia

- (1) Yes.
- (2) (a) Main Roads.
(b) Western Australian Chamber of Commerce and Industry.
(c) Training courses.
(d) \$6 935.

Westrail

- (1) Yes.
- | | | | | |
|-----|----------|---|--|----------|
| (2) | (a) | (b) | (c) | (d) |
| | Westrail | WA Farmers Federation | Participation by Westrail in a corporate sponsorship program | \$14 000 |
| | Westrail | Chamber of Industry & Commerce of Western Australia | Preparation and presentation of evidence by the Chamber on behalf of Westrail to the Australian Industrial Relations Commission in respect of a pay claim by the Australian Services Union | \$11 700 |

Fremantle Port Authority: The Fremantle Port Authority is a member of the Western Australian Chamber of Commerce & Industry and as such is provided with a range of services included in the membership fee. In addition the Fremantle Port Authority has a fee for service contract based on fees for services for matters not included in the membership fee structure. To date the Fremantle Port Authority has not incurred any significant expenses under this contract.

GOVERNMENT CONTRACTS - EMPLOYEE ORGANISATIONS

Details

1380. Mr KOBELKE to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) Have any departments or agencies, within the Minister's portfolios, let or made contracts, grants, or secondments, since 1 July 1995 to the Western Australian Trades and Labor Council, or any union or bodies established or controlled by an employee organisation?
- (2) If yes, then what are the details of each case including -
- (a) the department or agency involved;
(b) the recipient of the contract, grant or secondment;
(c) a description of the purpose of the contract, grant or secondment;
(d) the value or cost of the contract, grant or secondment?

Dr HAMES replied:

Homeswest:

- (1)-(2) Homeswest has a contract with the Trades and Labour Council of Western Australia No. 29 Building Society for retail management services for the Keystart Scheme. Negotiations are taking place for a further contract. Currently the society is paid a fee of 0.5% per annum of loans under management.

Rural Housing Authority:

- (1) No.
- (2) Not applicable.

Government Employees Housing Authority:

- (1) The Government Employees' Housing Authority has not let or made contracts, grants or secondments to any employee organisation since 1 July 1995.
- (2) Not applicable.

Water Corporation:

- (1) No.
- (2) Not applicable.

Water & Rivers Commission including the Swan River Trust;

- (1) No.
- (2) Answered by (1).

Office of Water Regulation:

- (1) No.
- (2) Not applicable.

Aboriginal Affairs:

- (1) No.
- (2) Not applicable.

HOMESWEST - BUDGET

Administration and Maintenance Allocation

1421. Mr BROWN to the Minister for Housing:

- (1) Excluding capital works, what amount of the Homeswest budget is used for -
 - (a) administration purposes,
 - (b) maintenance?
- (2) Excluding capital works, what percentage of the Homeswest budget is used for -
 - (a) administrative purposes;
 - (b) maintenance purposes?
- (3) Excluding capital works, is the percentage of the Homeswest budget spent on -
 - (a) administration;
 - (b) maintenance,higher or lower than the percentage spent on those two items by other equivalent bodies in other States?
- (5) Which States, in percentage terms, spend a higher amount of the budget on administration?
- (6) Which States, in percentage terms, spend a higher amount on maintenance?

Dr HAMES replied:

- (1) (a) In the 1997/98 Budget the estimate is \$45.414m.
 - (b) In the 1997/98 Budget the estimate for maintenance and improvements is \$47.553m.
- (2) (a) 18.18%.
 - (b) 19.03%.
- (3),(5)-(6) See paper No 652.

Note: No question No. 4.

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1478. Mr BROWN to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Minister's control?

- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Dr HAMES replied:

- (1)-(5) The information requested by the member for Morley is not stored centrally and would require the diversion of resources in every agency for a significant period of time and at considerable cost. The Government already publishes periodic reports on the extent of contracting throughout the Western Australian public sector and work is progressing well on the identification of a suitable system to make purchasing and contract data publicly available through some form of electronic bulletin board. I am therefore not prepared to commit additional resources at this time, to produce such specific data which would be of questionable value.

GOVERNMENT INSTRUMENTALITIES - EMPLOYEES

Number and Conditions of Employment

1557. Mr KOBELKE to the Minister for Housing; Aboriginal Affairs; Water Resources:

For all departments and agencies within the Minister's portfolios, what are -

- (a) the total number of employees;
- (b) the number of these employees who were employed on a workplace agreement;
- (c) the number of these employees who were employed on an enterprise agreement;
- (d) the number of these employees who were employed under an industrial award; and
- (e) the number of these employees who were employed under some form of contract not included in the above?

Dr HAMES replied:

Homeswest including Government Employees Housing Authority, Rural Housing Authority and Industrial and Commercial Employees Housing Authority;

- | | | |
|---------|--|------|
| (a) | GEHA (Government Employees Housing Authority) | 19 |
| | RHA/ICEHA (Rural Housing Authority/Industrial and Commercial Employees Housing Authority) | 4 |
| | HOMESWEST | 827* |
| * | Includes 84 part time officers, 29 officers on leave without pay and maternity leave and 6 officers on secondment. | |
| (b) | GEHA | 18 |
| | RHA/ICEHA | 4 |
| | HOMESWEST | 740 |
| (c) | GEHA | 1 |
| | RHA/ICEHA | 0 |
| | HOMESWEST | 87 |
| (d)-(e) | Not applicable. | |

Office of Water Regulation:

- (a) 18
- (b) 0
- (c) 18
- (d) 18
- (e) 0

Water Corporation:

- (a) 2,108.
- (b) Nil.
- (c) 2,063.

- (d) 707.
- (e) 45.

Water & Rivers Commission including the Swan River Trust:

- (a) 333.
- (b) Nil.
- (c) 333
- (d) 331
- (e) 2

Aboriginal Affairs:

- (a) 123.
- (b) 4.
- (c) 119.
- (d)-(e) None.

WATER RESOURCES - LICENCE 4247

Monitoring

1644. Dr EDWARDS to the Minister for the Environment:

- (1) Further to question on notice 478(2) of 1997, what were the exact readings for each guideline exceeded?
- (2) Further to question on notice 479(c) of 1997, what were the exact readings for each guideline exceeded?
- (3) Further to question on notice 479(c) of 1997, which tailings dam is it that the results refer to?
- (4) What species of arsenic have been identified from monitoring of -
 - (a) the Greenbushes town water supply;
 - (b) the Greenbushes town water tank;
 - (c) the four monitoring bores;
 - (d) Cowan Dam;
 - (e) Southampton Augmented Austin Dam;
 - (f) Mt Jones Dam?
- (5) Are these species of arsenic totally soluble?
- (6) If not, to what extent are they soluble?
- (7) In view of the monitoring results provided in response to question on notice No. 479 of 1997 showing consistent exceedences for arsenic at all four bore locations, will the Minister provide results of all monitoring from these same bores from 1991 to 1995 inclusive where samples have revealed results above the relevant guidelines?
- (8) If not, why not?
- (9) Is the Minister aware of radiation health monitoring results for bore 4 in relation to gross alpha and gross beta levels for October 1996?
- (10) Has the Minister received advice as to the cause of gross alpha and gross beta levels at bore 4 as monitored by radiation health in October 1996?
- (11) If so, will the Minister table that advice?
- (12) Is the Minister aware of gross alpha and beta levels monitored from bore 4 in 1992 which also exceeded National Health and Medical Research Council guidelines at the time?
- (13) Did the Minister receive advice as to the cause of those results?
- (14) If so, will the Minister table the advice received?
- (15) Will the Minister provide results of gross alpha and beta levels recorded for all four monitoring bores for -
 - (a) 1993;
 - (b) 1994;
 - (c) 1995;
 - (d) 1996;
 - (e) 1997?

Mrs EDWARDES replied:

- (1) Further to question on notice 478(2) of 1997, the exact values for each drinking water guideline exceeded are as follows (with the exception of pH, all results are in milligrams per litre):

Sample Location	Parameter	Sample Date	Sample Value
Bore No. 1	pH	February '96	5.7
		April '96	6.2
		June '96	6.1
		October '96	5.1
	Iron	February '96	3.4
		April '96	2.8
		June '96	5.1
		October '96	5.1
	Arsenic	February '96	0.01
		June '96	0.015
Bore No. 2	pH	February '96	5.7
		April '96	6.3
		June '96	6.1
		October '96	5.9
	Total Dissolved Solids	October '96	1100
	Iron	June '96	0.8
		October '96	1.5
	Chloride	February '96	420
		April '96	420
		June '96	440
		October '96	450
	Arsenic	February '96	0.012
		June '96	0.03
Bore No. 3	pH	February '96	6
		April '96	2700
		June '96	2800
		October '96	3100
	Total Dissolved Solids	February '96	2800
		April '96	2700
		June '96	2800
		October '96	3100
	Sodium	February '96	970
		April '96	940
		June '96	920
		October '96	920
	Chloride	February '96	1500
		April '96	1400
		June '96	1600
		October '96	1500
	Arsenic	February '96	0.008
		April '96	0.015
		June '96	0.015
		October '96	0.01
Bore No. 4	pH	February '96	5.1
		April '96	5.10
		June '96	5.4
		October '96	5.10
	Total Dissolved Solids	February '96	4200
		April '96	3600
		June '96	3700
		October '96	4000
	Iron	February '96	18
		April '96	20
		June '96	20
		October '96	28
	Sodium	February '96	960
		April '96	920
		June '96	900
		October '96	950
	Chloride	February '96	2100
		April '96	2200
		June '96	2300
		October '96	2100
	Arsenic	February '96	0.042
		June '96	0.08
		October '96	0.04
South Hampton Tantalum Plant	pH	February '96	6.4
	Total Dissolved Solids	May '96	1100
Tailings Dam	Arsenic	June '96	1200
		June '96	0.01

- (2) See answer to (1).
- (3) Further to question on notice 479(c) of 1997, the results refer to samples taken from monitoring bores located around the Greenbushes mine site and surface water samples taken from Southampton Dam and the Tantalum Tailings Dam.
- (4) The monitoring required by DEP licence conditions and carried out for Gwalia Consolidated Ltd by Australian Environmental Laboratories identifies two species of arsenic, III and V. These species were identified in the four monitoring bores, Cowan Dam and Southampton Augmented Austin Dam. Monitoring of the Greenbushes town water supply, the Greenbushes town water tank and Mount Jones Dam is not required by DEP licence conditions. The Water Corporation's advice should be sought for the town water supply.
- (5) The species of arsenic identified by Australian Environmental Laboratories are totally soluble.
- (6) Not applicable.
- (7) The monitoring results provided in response to question on notice 479 of 1997 showed several arsenic results above the guidelines for raw waters for drinking purposes documented in the Australian and New Zealand Environmental Conservation Council (ANZECC) Australian Water Quality Guidelines for Fresh and Marine Waters, November 1992 and the recently revised drinking water guideline value for arsenic. However, since the mine is not located within the water supply catchment, it is more appropriate to compare the results from the monitoring bores and tailings dam against guidelines for raw waters for protection of aquatic ecosystems, presented in the same document. The Department of Environmental Protection has received results from the periods of 1994-1995 and 1995-1996. The following results received by the Department of Environmental Protection were in breach of the relevant guidelines for protection of aquatic ecosystems for the period from 1994 to 1995 inclusive (with the exception of pH, all results are in milligrams per litre):

Sample Location	Parameter	Sample Date	Sample Value
Bore No.1	pH	March '94	5.75
		December '94	6.35
	Soluble Iron	March '94	7.55
		December '94	3.2
Bore No.2	pH	March '94	6
		December '94	6.3
Bore No. 3	Soluble Iron	March '94	2.05
		December '94	0.1
	Zinc	March '95	0.2
		March '94	5.1
Bore No. 4	pH	December '94	5
		March '94	20
	Soluble Iron	December '94	18
		March '95	20.5
	Zinc	March '95	20.5
		March '94	0.1

- (8) Not applicable.
- (9)-(10) No.
- (11) Not applicable.
- (12)-(13) No.
- (14) Not applicable.
- (15) The Department of Environmental Protection has received results of gross alpha and beta levels for the four monitoring bores from the periods of 1994-1995 and 1995-1996. The following results from the four monitoring bores were received by the Department of Environmental Protection for the period from 1994 to 1996 inclusive:

GROSS ALPHA (Becquerels per Litre)			
Sample Location	Sample Date	Value	Error
Bore No. 1	1/12/94	0.03	0.02
	2/11/95	Less than 0.02	
	5/11/96	0.05	0.03

Bore No. 2	1/12/94	0.13	0.07
	2/11/95	0.19	0.09
	5/11/96	0.36	0.08
Bore No. 3	1/12/94	Less than 0.07	
	2/11/95	0.26	0.19
	5/11/96	0.34	0.18
Bore No. 4	1/12/94	2.5	0.4
	2/11/95	7.1	0.8
	5/11/96	3.7	0.6
GROSS BETA (Becquerels per Litre)			
Sample Location	Sample Date	Value	Error
Bore No. 1	1/12/94	0.07	0.01
	2/11/95	0.07	0.01
	5/11/96	0.04	0.01
Bore No. 2	1/12/94	0.34	0.04
	2/11/95	0.19	0.04
	5/11/96	0.33	0.04
Bore No. 3	1/12/94	0.18	0.08
	2/11/95	0.49	0.1
	5/11/96	0.43	0.1
Bore No. 4	1/12/94	1.7	0.1
	2/11/95	4.3	0.3
	5/11/96	2.1	0.2

Note: Gross beta results are not corrected for Potassium-40

TRANSPORT - HEAVY VEHICLES

Noise Emissions

1647. Mrs ROBERTS to the Minister for the Environment:

Can the Minister advise what steps are being taken by the State Government to control noise levels emitted by individual heavy vehicles?

Mrs EDWARDES replied:

All motor vehicles operating on Western Australian roads are required to comply with the relevant requirements of the Australian Design Rules for Motor Vehicles. These rules are published by the Federal department of transport and include Rule No ADR 28/01 which specifies noise levels for individual motor vehicles, including heavy vehicles. Compliance with the relevant Australian Design Rules is a requirement of the Road Traffic Act. Regulations under the Road Traffic Act also include subjective requirements for noise from individual motor vehicles. This Act and its regulations are administered by the Department of Transport and the Western Australia Police Service. There are no regulations under the Environmental Protection Act which address noise from individual motor vehicles operating on Western Australian roads.

EDUCATION - TEACHERS

Male - Encouragement to Join the Profession

1675. Mr RIPPER to the Minister for Education:

With reference to the Minister's answer to question without notice 477 how, precisely, are the Minister and his department "trying to encourage more males to take up teaching as a profession"?

Mr BARNETT replied:

A number of initiatives are in place to attract a diverse range of high quality applicants to the teaching profession including males. Specific initiatives are -

- A teacher career structure is currently being developed to enhance teaching as a positive career option which commands respect and status within the community, whilst delivering financial rewards and personal fulfilment.
- With a view to attracting young, talented school leavers into the teaching profession, an attractive scholarship incentive scheme is being developed with up to 30 scholarships being offered each year over the next four years. The issue of gender balance will be considered in the awarding of these scholarships.
- The Education Department of Western Australia is participating in discussions on teacher demand and supply at the national level. The Education Department has flagged the issue of the decreasing number of

men entering the profession in these discussions and will liaise with other States and Territories on possible recruitment strategies.

- A key objective of the Plan for Government School Education 1998-2000 is to provide more scope for decision making at a school level which will in turn provide increased career satisfaction and career development opportunities.

These opportunities and incentives are designed to raise the status of teaching in the wider community. As a consequence of increased status and employment conditions, the teaching profession will become more appealing to male members of the community.

EDUCATION BILL - DISTRIBUTION OF COPIES

1713. Mr RIPPER to the Minister for Education:

- (1) How many copies of the Draft School Education Bill have been printed and distributed to facilitate public consultations on this Bill?
- (2) Is the Minister aware of complaints from members of the public that they have not been able to obtain complete copies of this Bill?
- (3) What action is the Minister taking to ensure that sufficient copies of the Bill are available so that a genuine public consultation on the Bill can occur?

Mr BARNETT replied:

- (1) 6,000.
- (2) Yes. Multiple copies of the complete Bill did not become available until early in the week following the tabling of the Bill in the Legislative Assembly on 19 June 1997. During the week following the tabling, some telephone complaints were received at the office of the Minister for Education and at the Department of Education Services about the availability of the complete Bill. Since that time copies have been readily available and no further complaints have been received.
- (3) Copies of the Bill have been distributed to schools, parent groups and public libraries throughout Western Australia. Copies are, and have been, available on request from the Department of Education Services. Copies have been made freely available at each of the public consultation meetings on the Bill. The Bill is published on the Internet at <http://des.gda.net.au/>.

GOVERNMENT INSTRUMENTALITIES - ANNUAL REPORTS

Costs

1725. Mr BROWN to the Minister for Primary Industry; Fisheries:

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

Mr HOUSE replied:

Agriculture Western Australia

- (1)
 - (a) In house - no cost.
 - (b) \$7,000.
 - (c) \$300.
- (2) Same.
- (3) All apart from printing.
- (4) \$9,000.
- (5) Supreme Printing.
- (6) 1000 copies.
- (7) Staff/library/State Members of Parliament and approximately 200 primary producers on the mailing list.
- (8) No.

Fisheries Department of Western Australia

- (1)
 - (a) In house - no cost.
 - (b) printing \$9,890.
 - (c) \$311.
- (2) To print the 1995/96 annual report was \$9,890 compared to the 1994/95 annual report of \$4,803. The difference in cost was due to the 1995/96 report being printed in colour throughout the document whereas the 1994/95 report was printed in one colour.
- (3) No.
- (4)
 - (a) editorial services were provided by Quin Agro.
 - (b) \$3,100.
- (5) Scott Four Colour.
- (6) 1,000.
- (7) 112 sources such as key stakeholders, regional offices, interested parties and the Western Australian Marine Research Laboratory (WAMRL) library.
- (8) Yes.

GOVERNMENT INSTRUMENTALITIES - ANNUAL REPORTS

Costs

1731. Mr BROWN to the Minister for Local Government; Disability Services:

- (1) For each department or agency under the Minister's control, what was the cost of producing the 1995-96 annual report, including -
 - (a) artwork;
 - (b) publication;
 - (c) distribution?
- (2) How do the costs for the 1995-96 annual report compare with the costs associated with the 1994-95 annual report?
- (3) Was the 1995-96 annual report produced wholly within the department or agency?
- (4) If not -
 - (a) what services were provided by contractors;
 - (b) at what cost?

- (5) Who printed the 1995-96 annual report?
- (6) How many copies of the 1995-96 annual report were printed?
- (7) To whom was the 1995-96 annual report distributed?
- (8) Was environmentally-friendly or recycled material used in the production of the document?

Mr OMODEI replied:

Department of Local Government:

- (1) (a)-(b) \$6,240.
(c) \$258.00 (approx).
- (2) The cost to produce the 1994/95 annual report was \$5,950, plus distribution.
- (3) Yes.
- (4) (a)-(b) Not applicable.
- (5) Kaleidoscope Print and Design.
- (6) 3,350.
- (7) All local governments and other Government Departments.
- (8) No.

Disability Services Commission:

- (1) (a) \$ 6 350
(b) \$15 745
(c) \$ 600

TOTAL \$22 695
- (2) Total costs for 1994-1995 = \$22 975.
- (3) Yes.
- (4) (a)-(b) Not applicable.
- (5) Dessein.
- (6) 1,250
- (7) Members of Parliament, Non Government Agencies, Board Members, Members of the Disability Services Commission (DSC) Advisory Council, Local Government Authorities, Interstate Disability counterparts, Local Area Coordinators, DSC Senior staff, DSC Library, Auditor General, Treasury Department.
- (8) No.

Metropolitan Cemeteries Board:

- (1) (a) \$2550.00
(b) \$4650.00
(c) \$ 40.00
- (2) The costs for the 1994/95 report - \$6819.00
The costs for the 1995/96 report - \$8509.00
- (3) No.
- (4) (a) Writing, editorial, artwork, printing
(b) \$8509.00
- (5) Vernon Jones Design Graphics.
- (6) 100.
- (7) Minister, Board Members, Funeral Directors, other cemeteries within Australia, relevant government agencies, general public on demand.

(8) No.

Keep Australia Beautiful Council:

- (1)
 - (a) \$1,100 (donated paper used)
 - (b) \$1,100 (donated paper used)
 - (c) \$ 800
- (2) The costs for the 1994/95 report - \$1 105 (donated paper)
The costs for the 1995/96 report - \$1 100 (donated paper)
- (3) Yes.
- (4) (a)-(b) Not applicable.
- (5) Daytone Pty Ltd
- (6) 1,800
- (7) Council members, Local Governments, Litter Reporters, KABC financial members.
- (8) No.

Fremantle Cemetery Board:

- (1)
 - (a) \$1,368.00
 - (b) \$3,100.00
 - (c) \$ 123.00
- (2) The costs for the 1994/95 report - \$1,895 (100 copies 1 colour)
The costs for the 1995/96 report - \$4,591 (150 copies 2 colours)
- (3) No.
- (4)
 - (a) Artwork, typesetting and printing.
 - (b) \$4,468
- (5) PJ Printers.
- (6) 150
- (7) Parliament, members of parliament, Government Departments, Local Councils, Public Trading Enterprises, Local Newspapers, public on mailing list, suppliers of goods and services
- (8) No.

Local Government Grants Commission:

- (1) (a)-(b) \$1130.
- (2) The cost to produce the 1994/95 annual report was \$1190 plus distribution.
- (3) Yes.
- (4) (a)-(b) Not applicable.
- (5) Artech Printing.
- (6) 550
- (7) The annual report was distributed to all local governments, Federal and State Ministers, all members of the Legislative Assembly and Council, Grants Commissions in other states, WA Grants Commission members and various libraries.
- (8) Yes, recycled paper was used.

TRANSPORT - DEPARTMENT

Mr Stephen Magyar - Use of Facilities

1763. Mr MacLEAN to the Minister representing the Minister for Transport:

- (1) Can the Minister advise if Mr Stephen Magyar is a public sector employee located within the Department of Transport at the Warwick traffic office?

- (2) Is Mr Magyar a councillor with the City of Wanneroo?
- (3) Has Mr Magyar been using taxpayer-funded facilities such as a fax machine for the purpose of conveying instructions and/or messages to other councillors and staff of the City of Wanneroo?
- (4) If the answer to (3) above is yes, does this constitute a breach of the Public Sector Management Act 1994 or regulations or code of conduct?
- (5) What action will be taken if a breach is found to have occurred?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1)-(2) Yes.
- (3) Yes. According to Mr Magyar, outgoing faxes were sent on a maximum of three occasions within the past three years and three months.
- (4) Yes, although frequency is very low, ie, less than one fax per year.
- (5) Mr Magyar will be counselled and a formal record will be placed on his personal file. This will include a written reminder to Mr Magyar of the conditions under which his secondary employment as a Councillor was approved, and that disciplinary action will be taken if there is any further incidence of the unauthorised use of the department's facilities.

ENVIRONMENTAL PROTECTION AUTHORITY - ADVISORY COUNCIL

Convening

1768. Dr CONSTABLE to the Minister for the Environment:

- (1) Further to question on notice No. 732 of 1997, why has the Advisory Council to the Environmental Protection Authority not been reconvened this year?
- (2) Will the Council be reconvened, and if so, when?

Mrs EDWARDES replied:

- (1) The new Chairman of the EPA has given urgent attention to the appointment of members to ACTEPA and letters of invitation will soon be posted.
- (2) Yes, it is anticipated that the meeting will be in September 1997.

EMPLOYMENT AND TRAINING - SALE OF REAL ESTATE

Statistics

1772. Dr CONSTABLE to the Minister for Employment and Training:

- (1) In relation to all real estate (land and buildings) sold within the Minister's portfolio in the 1995-96 and 1996-97 years -
 - (a) where was the real estate situated (giving the actual address of the land and building);
 - (b) for what amount was the real estate sold;
 - (c) when, if ever, was the most recent valuation of the real estate conducted; and
 - (d) what was the value of the real estate according to the valuation?
- (2) What real estate in the Minister's portfolio is currently for sale or in the process of being sold?

Mrs EDWARDES replied:

- (1) 1995/96: Nil.
1996/97: The Department is currently finalising negotiations for 1.5 hectares as outlined below.
 - (a) A portion of Crown Reserve 38189 located at Ennis Avenue, Rockingham adjoining Kolbe College.
 - (b) The settlement price of the land is \$480,000.
 - (c) The Valuer General's Office initiated a market valuation of the land in December 1996, as part of the settlement negotiations.

(d) \$480,000.

(2) None. A property disposal program for the 1997/98 to 1999/2000 period is currently being developed.

SHOPPING CENTRES - EXTENDED TRADING

Government's Policy

1786. Mr BROWN to the Minister for Fair Trading:

- (1) Does the Government have a shopping centre extended trading policy?
- (2) When was the policy last amended?
- (3) What was the nature of the amendment?

Mr SHAVE replied:

- (1) Yes, a trading hours exemption policy enabling individual shopping centres to trade on one Sunday each year was introduced in 1994.
- (2) 3 April 1997.
- (4) To withdraw access to extensions in the month of December. The Retail Shops Advisory Committee, responding to industry concerns, recommended I no longer approve applications submitted for extensions in December. It was apparent that shopping centre authorisations granted in December destabilised established pre-Christmas trading patterns and provided those centres authorised with an unfair advantage during the most competitive and profitable period of the year. I agreed with this finding and endorsed the recommendation.

OCCUPATIONAL HEALTH AND SAFETY - REGULATIONS

Amendment

1787. Mr BROWN to the Minister for Labour Relations:

- (1) Has the Government received representations to amend the Occupational Safety and Health regulations as they relate to the provision of residual current devices?
- (2) Does the Government intend to change the regulation?
- (3) In what way will the regulation be changed?

Mr KIERATH replied:

- (1) Yes.
- (2)-(3) The Regulations have been changed and are currently going through the due process and should be gazetted shortly.

FAIR TRADING - COOPERATIVES

Uniform Legislation

1790. Mr BROWN to the Minister for Fair Trading:

- (1) Is the Minister aware if new uniform legislation on co-operative companies is being developed throughout Australia?
- (2) If so, has the uniform legislation been drafted?
- (3) When was it drafted?
- (4) Is it intended to introduce such legislation or any variant of it in the 1997 spring session of Parliament?
- (5) If so, when?
- (6) If not, when is it intended such legislation will be introduced?
- (7) Does the Government intend to seek comment on any proposed legislation before it is introduced?
- (8) If so, when is it envisaged that comment will be sought?

- (9) Will the Government produce a draft Bill/discussion paper or other document on which the community can comment before legislation is introduced?

Mr SHAVE replied:

- (1) Yes.
- (2) No, the Cabinet only approved drafting of the Bill on 3 June 1997.
- (3) Not applicable.
- (4)-(5) The Cabinet Legislation Standing Committee will determine priority for the Bill's introduction in the near future.
- (6) Not applicable.
- (7)-(8) Yes. The Co-Operative Federation of Australia and the Co-Operative Federation of Western Australia, as well as representatives of individual Co-Operatives, have already been consulted in the preparation of the Cabinet Submission for the new Bill. This consultation process will be continued during the drafting process.
- (9) Yes. It is intended to release the draft Bill for Public comment before it is finalised.

SMALL BUSINESS - COOPERATIVES

Government Funding and Support

1791. Mr BROWN to the Minister for Small Business:

- (1) Is the Minister aware of new uniform legislation concerning cooperative companies being developed by Australian States and Territories to enable consistent legislation throughout Australia?
- (2) If so, is the Minister prepared to allocate funds to raise awareness about cooperatives and cooperative development?
- (3) Is the Minister prepared to allocate resources to enable individuals to be trained in cooperative development and management?
- (4) Is the Minister also prepared to integrate the cooperative method of doing business into the promotion and use of existing business strategies?
- (5) Is the Minister prepared to allocate resources for the development of information and materials for small business to gain an understanding of the value and use of cooperatives?

Mr COWAN replied:

- (1) Yes, each State and Territory is pursuing amendments to its existing cooperatives legislation.
- (2) The Ministry of Fair Trading has been working closely with the WA Cooperatives Federation to develop appropriate strategies to raise public awareness of the new legislation.
- (3) A joint approach will be discussed with the Minister for Fair Trading.
- (4) Yes.
- (5) As in (3), I will liaise with the Minister for Fair Trading to ensure appropriate business information and materials are developed for small business when the legislation has been passed by Parliament.

EMPLOYMENT AND TRAINING - COOPERATIVES

Development and Management Training

1792. Mr BROWN to the Minister for Employment and Training:

- (1) Is the Minister prepared to ensure that some of the funds received from the Australian National Training Authority are directed towards education and training in the development and management of co-operatives?
- (2) Is the Minister prepared to authorise an examination being made of the type of training that is appropriate?
- (3) Will the Minister appoint one or more persons to investigate the nature of the training required?
- (4) If so, when?

Mrs EDWARDES replied:

- (1) Education and training in the development and management of cooperatives has not been identified as a need or priority by industry, or in the context of any of the training needs analyses conducted by the Department of Training. However, while no funds have been specifically allocated for training in this area, business management training does include an overview of the development and management of cooperatives. Furthermore, groups of individuals interested in the development of cooperatives may request training providers to develop customised training programs on a fee-for-service basis.
- (2) There appears to be no need for a review.
- (3)-(4) Not applicable.

PARKING - PERTH BEACHES

Paid

1799. Mr BROWN to the Minister for Local Government:

- (1) Did the Minister issue a media statement on 28 June 1997 concerning paid parking at Perth beaches?
- (2) In the media statement did the Minister give an assurance there would be no wholesale paid parking at Perth beaches?
- (3) Does the assurance the Minister gave mean that paid parking at Perth beaches will not be permitted?
- (4) If not, what does the statement mean?
- (5) Does the statement mean the Government may consider paid parking at Perth beaches providing some portion of beach parking is left free of charge?
- (6) If so, what portion?

Mr OMODEI replied:

- (1)-(2) Yes.
- (3) No.
- (4) The principle of free access to beach parking will be maintained, and any proposal from local governments for paid beach parking options will be considered.
- (5) Yes.
- (6) This will be dependent on the proposals put by local governments.

LABOUR RELATIONS LEGISLATION AMENDMENT BILL - ADVERTISING

Cost

1812. Mr KOBELKE to the Minister for Labour Relations:

- (1) Will the Minister table in the House video and audio tapes of the advertisements run earlier this year in support of the Government's Labour Relations Legislation Amendment Bill 1997 along with the schedules for the placement of those advertisements with commercial television and radio stations in Western Australia?
- (2) If not, why not?
- (3) What was the total cost of the development of these particular advertisements?
- (4) What was the cost for the broadcasting of these advertisements for each of the television and radio stations which carried the advertisements?

Mr KIERATH replied:

- (1) No.
- (2) It is not normal Government practice to provide such information.
- (3) \$41,301.

- (4) The cost of the radio advertisements was \$45,980. The cost of the television advertisements was \$15,930.

PREMIER'S AWARD - ORGANISATIONS AWARDED

Reasons

1861. Mr GRAHAM to the Premier:

- (1) Which organisations have been awarded the Premier's Award?
(2) For what reason/s was/were each award granted?

Mr COURT replied:

- (1) 1996 was the first year that the Premier's Awards were conducted. The winner was Gwynne Park Primary School.
(2) Gwynne Park Primary School, as the winner of the inaugural Premier's Award for Excellence was selected from the winners in each of the seven categories for 1996. Gwynne Park Primary School was selected on the basis of overall merit and excellence in providing services to the Western Australian community. The seven 1996 categories for the Premier's Award were: Provision for the Future of Western Australia; Service Design and Delivery; Provision of Services to Regional Western Australia; Provision of Services to Diverse Groups; Strategic Resource Management; Human Resource Management and Change Management.

RAILWAYS - RAIL FREIGHT FACILITY

Canning Vale - Memorandum of Understanding

1889. Dr EDWARDS to the Minister for the Environment:

- (1) Has the memorandum of understanding been signed by Westrail, Specialist Container Transport and the Department of Environmental Protection concerning noise emissions from the proposed freight rail facility at Canning Vale?
(2) If yes, when?
(3) If no, is an MOU being drafted?
(4) Will the Minister table a copy of the memorandum?

Mrs EDWARDES replied:

- (1) In February this year the Department of Environmental Protection established a working group with Westrail and Specialised Container Transport (SCT) in an endeavour to establish a memorandum of understanding (MOU) for management of the proposed rail freight distribution centre at Canning Vale to ensure that it achieved acceptable noise levels. In March this year I determined that the project should be subject to formal environmental impact assessment under the Environmental Protection Act 1986, due to significant public concern. This will allow the public to have input to the assessment process. The MOU was therefore not proceeded with.
(2) Not applicable.
(3) No.
(4) Not applicable.

POLLUTION - OIL SPILL

Perth Airport Drain

1890. Dr EDWARDS to the Minister for Water Resources:

- (1) What were the circumstances surrounding the oil spill from a Perth Airport drain that contaminated the Swan River on 23 May 1997?
(2) What procedures have the Federal Airports Corporation since developed to guard against a similar event in similar circumstances?
(3) When will these procedures be put into place?
(4) Why did the interceptor drain fail to stem the flow of oil into the river?

- (5) What structural changes to the interceptor drain have been proposed to cope with a similar spill under similar conditions?

Dr HAMES replied:

- (1) Heavy rainfall washed newly laid bitumen off the northwest section of the tarmac into the drainage system.
- (2) The Federal Airports Corporation (FAC) has engaged consultants to complete an environmental audit of the stormwater interceptor system, and to implement an environmental management strategy for the transport, storage and handling of hydrocarbons.
- (3) The FAC have made a commitment to the Swan River Trust to implement the environmental management strategy within 12 months.
- (4) The quantity of bitumen emulsion mobilised by heavy rainfall exceeded the design criteria of the interceptor. Bitumen failing to set, followed by heavy rainfall is a combination of circumstances that is unexpected, the interceptor and other emergency provisions are aimed at retaining fuel and oil spills of lesser quantity.
- (5) Answered by (2).

PLANNING - CITY OF STIRLING

Town Planning Scheme No 38 - Legal Advice

1891. Dr EDWARDS to the Minister for Planning:

- (1) With respect to the previous Minister for Planning's response to the City of Stirling's Town Planning Scheme 38, who provided the independent legal advice to the Minister concerning compensation?
- (2) Who provided any other legal advice or legal comment?
- (3) On what dates was this advice -
 - (a) sought;
 - (b) obtained?
- (4) What other consultation was undertaken by the Minister for Planning before he asked the City of Stirling to add the compensation clause?
- (5) When did this occur?

Mr KIERATH replied:

- (1) Phillips Fox, lawyers.
- (2) Advice was received from solicitors Corrs Chambers Westgarth representing the City of Stirling and from solicitors Jackson McDonald and Solomon Brothers, representing aggrieved landowners within the Scheme Area.
- (3) Independent legal advice was:
 - (a) sought on 15 November 1996.
 - (b) obtained on 19 November 1996.
- (4)-(5) Various discussions took place between the former Minister for Planning with Senior Ministry for Planning Officers and the City of Stirling between February and July 1996.

FUEL AND ENERGY - TRANSFORMERS

Sulphur Hexafluoride Technology - Regulations

1893. Dr EDWARDS to the Minister for the Environment:

- (1) What regulations specifically cover the disposal of transformers utilising sulphur hexafluoride technology?
- (2) If no specific regulations exist, why not?
- (3) What regulations specifically cover the disposal of switchgear and fusegear that utilises sulphur hexafluoride technology?
- (4) If no specific regulations exist, why not?

Mrs EDWARDES replied:

- (1) None.
- (2) I am advised that sulphur hexafluoride is an extremely inert, high molecular weight gas. It is used as an insulating oil in specialised, high voltage electrical equipment. I am also advised that very little equipment using this material is in service in Western Australia and on this basis regulations are not warranted.
- (3) None.
- (4) Refer to the answer provided to (2).

FAIR TRADING - ASBESTOS BRAKE LININGS

Importation

1895. Dr EDWARDS to the Minister for Fair Trading:

- (1) Can the Minister confirm whether brake linings containing asbestos are being imported into Western Australia despite it being illegal to do so?
- (2) Can the Minister guarantee that brake linings containing asbestos are not being sold in Western Australia?
- (3) What measures are in place to ensure that brake linings containing asbestos are not being sold in Western Australia?

Mr SHAVE replied:

- (1) I have been advised that it is not illegal to import brake linings containing white asbestos.
- (2)-(3) Not applicable.

ENVIRONMENT - DEPARTMENT OF ENVIRONMENTAL PROTECTION

System Six - Management Guidelines

1897. Dr EDWARDS to the Minister for the Environment:

- (1) Will the Minister table the Department of Environmental Protection's guidelines for managing system six area?
- (2) If not, why not?

Mrs EDWARDES replied:

- (1) The report referred to in the question is not clear. The Department of Environmental Protection has not and is not preparing a document of this title. The reference could relate to either of two documents the Department is currently preparing:
 - Guidelines for the preparation of reserve management plans (primarily for local government); or
 - Policy ('Guidelines') for Environmental Impact Assessment of proposals in System 6 /Perth's Bushplan areas.Neither are complete and in a form suitable for tabling at this time.
- (2) Both documents are in preparation and will be released for public information and use when complete.

OFFICE OF MULTICULTURAL INTERESTS - DIRECTOR

Redundancy Package

1902. Ms WARNOCK to the Minister for Multicultural and Ethnic Affairs:

With reference to Estimates Committee hearings where the Minister stated that the Office of Multicultural Interests had paid out a redundancy package to an ex-director of the office, which ex-director was the Minister referring to in this answer and how much was paid?

Mr BOARD replied:

I have been advised by the Public Sector Management Office that it is not appropriate for this information to be disclosed. It should be noted that payments are referred to the Auditor General to ensure accountability. This matter has been brought to the attention of the Chairman of the Public Accounts and Expenditure Review Committee.

ATTITUDE MONITORING SURVEY - RESULTS

1920. Dr GALLOP to the Premier:

- (1) Has the Government received the results of the Attitude Monitoring Survey conducted on the weekend commencing 24 May 1997?
- (2) If yes -
 - (a) has the Cabinet been briefed on the results;
 - (b) when will the results be tabled in Parliament?

Mr COURT replied:

- (1) Yes.
- (2) (a) Yes.
- (b) In September.

GOVERNMENT CONTRACTS - WRITTEN CONTRACTUAL AGREEMENTS

Details

1922. Mr BROWN to the Minister for Services:

With reference to the Auditor General's Report tabled on 20 August, 1997 under the section "Minister for Housing" where a Perth real estate agency was paid \$128 391 commission for selling properties in country areas without a written contractual agreement -

- (a) has the situation of contracts being awarded without written contractual agreements arisen at any other time in the last four years;
- (b) If yes -
 - (i) which agency was involved;
 - (ii) what are the details in each instance?

Mr BOARD replied:

- (a) The State Supply Commission has advised me that because of the variety of government purchasing transactions, there would be likely to be occasions during the last four years in which government contracts have been entered into without written contractual agreements. The reason for this is that formal contractual documentation is not often required unless a purchaser meets or exceeds the public tender threshold of \$50,000. In such cases, there are a number of options for contractual documentation ranging from letters of acceptance which import the standard general terms and conditions through to formally drafted contracts with specific terms and conditions. Every occasion that a public authority makes a purchase it involves some kind of contract.

There are clearly numerous occasions on which it is simply not appropriate or warranted to have formal contractual documentation. Examples of such circumstances would include written confirmation through a purchase order, payment by corporate card and payment by petty cash. A simple exchange of letters can be sufficient for many transactions below \$50,000.

- (b) (i)-(ii) Given the circumstances I have just described in (a), and the volume of purchases across the WA public sector, it would be impracticable, without the use of enormous resources, to list every agency and circumstance in which this has occurred in the last four years.

WATER CORPORATION - DEBT

Reduction

1929. Mr BROWN to the Minister for Water Resources:

- (1) Is the Minister aware that in answer to question on notice 986 of 1997, the Treasurer advised that the Water Authority had a debt of \$678.9 million on 30 June 1993 and that the Water Corporation had a debt of \$430.9 million on 30 June 1996?
- (2) Has the total debt owed by Water Corporation been reduced by income earned, appreciation or sale of assets or some other way and, if so, how?

Dr HAMES replied:

- (1) Yes.
- (2) Debt of the Water Corporation has been reduced due to the cashflow from operating activities exceeding capital investment requirements over the period 30 June 1993 to 30 June 1996.

DRIVERS' LICENCES - SUSPENSIONS

Imprisonment

1936. Mr BROWN to the Parliamentary Secretary representing the Minister for Justice:

- (1) How many people were imprisoned during the 1996-97 financial year for failing to hold a valid motor drivers licence or driving under suspension?
- (2) How many people were imprisoned for this offence in each of the previous four financial years?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1) 546 (Distinct Persons).
- (2)

95/96:	466 (Distinct Persons)
94/95:	738 (Distinct Persons)
93/94:	1042 (Distinct Persons)
92/93:	1052 (Distinct Persons)

MINISTRY OF JUSTICE - YOUTH ORDERS

Number

1937. Mr BROWN to the Parliamentary Secretary representing the Minister for Justice:

- (1) In the 1996-97 financial year, how many of the following orders were issued, namely -
 - (a) youth community based orders;
 - (b) intensive youth supervision orders; and
 - (c) juvenile conditional release orders?
- (2) How many breaches of each order were recorded during the financial year?
- (3) How many orders in each category, were successfully completed?
- (4) How many orders in each category, were not successfully completed?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1)
 - (a) 974.
 - (b) 345.
 - (c) 401.
- (2)* (a) Youth Community Based Orders - 421

(b)	Intensive Youth Supervision Orders	-	174
(c)	Juvenile Conditional Release Orders	-	239

*All data may not yet have been received from non computerised locations.

- (3) The number of orders completed are not all electronically available. However, based on overall successful completion rates of 57%, 50% and 40%, the approximate number of orders successfully completed in each category can be expected to be:

(a)	Youth Community Based	-	555
(b)	Intensive Youth Supervision Orders	-	172
(c)	Juvenile conditional Release Orders	-	160

- (4) See (2).

PLANNING - APPEAL

No AP13302.97s - Lot Sizes

1956. Mr PENDAL to the Minister for Planning:

- (1) I refer to appeal number AP 13302.97s recently determined by the Minister in respect to a property within the City of South Perth and ask, if the Minister acknowledges that a serious error and misconception about the lot sizes proposed has occurred, in that the applicant's proposal was for lots of 530 square metres and 504 square metres?
- (2) Does the Minister acknowledge that, using the R Code minimum of 550 square metres, the first lot size is 3.64 per cent below, and the second is 8.37 per cent below, but that both are less than the 10 per cent variation espoused by the Planning Commission?
- (3) If yes to (1) and (2) above, can the Minister say why his letter of 31 July 1997 to the applicants states that "... the two proposed lots fall short of the variation levels ..."?
- (4) Does the Minister further acknowledge that at page 3 of his letter he states that "in this instance, the proposal exceeds that 10 per cent variation"?
- (5) If yes to (4) above, how can it be stated that the application exceeds the 10 per cent variation when it in fact falls below that variation, ie 3.64 per cent and 8.37 per cent?
- (6) In light of the above will the Minister personally re-visit the whole issue?
- (7) If not, why not?

Mr KIERATH replied:

- (1) A serious error and misconception about the lot sizes proposed in appeal AP13302.97s was not made in my decision letter as both lots were below the recommended minimum and average lot size standards of the Residential Planning Codes as contained in the City of South Perth Town Planning Scheme. The decision did, however, erroneously describe the proposal as failing to meet the minimum lot size requirements using the 10% variation policy sometimes applied by the Western Australian Planning Commission, although it correctly noted the proposal failed to meet reduced average lot size requirements.
- (2) While the percentage figures given may be correct, they are not the only figures taken into account in determining this appeal. The 10% variation policy, sometimes applied by the Commission, is only normally applied when a number of sound town planning criteria are met including support from the Local Government concerned. The City of South Perth objected strongly to this proposal; a factor I took seriously into account when reaching my decision.
- (3)-(5) The two proposed lots do fall short of the average lot size requirements of the Codes and the 10% variation, when applied, although, as already acknowledged, the decision letter did contain misstatements about compliance with minimum lot size requirements after applying a 10% variation.
- (6) The implication of this question is that the misstatements are so fundamental to the determination of the appeal that my decision should be revisited. This is not the case as the proposal failed to meet prescribed standards and one of the two variation standards. It also failed to secure the support of the Local Government, the City of South Perth. The matter will not be revisited.

- (7) I am precluded by law from revisiting an appeal decision once made; a fact reaffirmed by a Supreme Court judgement of recent times. In any case, planning issues relating to the proposed have been properly considered and determined, notwithstanding the errors contained in the decision letter.

DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS - INSPECTORS

Random Inspections - Directive

2027. Mr KOBELKE to the Minister for Labour Relations:

- (1) Has the Minister issued any form of advice, instruction or directive relating as to how or under what circumstances inspectors of the Department of Productivity and Labour Relations are to undertake random inspections?
- (2) If so, what was the date of such advice, direction or instruction?
- (3) Will the Minister table a copy of any such advice, direction or instruction?
- (4) Is such an advice, direction or instruction still operative?

Mr KIERATH replied:

- (1) No.
- (2)-(4) Not applicable.

DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS - INDUSTRIAL AND LEGISLATIVE COMPLAINTS

Number

2028. Mr KOBELKE to the Minister for Labour Relations:

In the 1996-97 financial year with respect to the Department of Productivity and Labour Relations -

- (a) how many formal industrial and legislative complaints were lodged;
- (b) how many of these were resolved without resorting to legal proceedings;
- (c) how many investigations were undertaken;
- (d) how many prosecutions were commenced;
- (e) how many prosecutions were concluded;
- (f) what number of the concluded prosecutions were "successful";
- (g) what number of investigations were categorised as "no valid complaint"?

Mr KIERATH replied:

- (a) 764 formal industrial and legislation complaints were lodged.
- (b) 623 were resolved without resort to legal proceedings.
- (c) 1069 investigations were undertaken and concluded. 446 of these were matters lodged prior to 1 July 1996.
- (d) Two.
- (e) Two
- (f) Two
- (g) 212.

INDUSTRIAL RELATIONS - MR OWEN THOMAS

Visit to Western Australia

2029. Mr KOBELKE to the Minister for Labour Relations:

- (1) Why did the Minister in answering question on notice 1912 of 1997 refuse to answer as to the terms and

conditions which were applied to the visit of Mr Owen Thomas, executive director of Electoral Reform Ballot Services, Britain with respect to his recent visit to Western Australia?

- (2) Will the Minister now answer the question?
- (3) Who was the organisation or entity actually paid on account of Mr Owen Thomas' services to the State of Western Australia?
- (4) What was the total amount paid or due to be paid to that organisation?

Mr KIERATH replied:

- (1) The response did give the terms and conditions which were applied to the visit. Part 3 of Question on Notice 1912 were the only terms and conditions to Mr Thomas' visit. Neither I nor my department imposed any conditions on the visit.
- (2) Not applicable.
- (3) No organisation was paid for Mr Thomas' services. Mr Thomas was not paid for his visit. The Government simply paid Mr Thomas' airfare and accommodation expenses.
- (4) Not applicable.

OCCUPATIONAL HEALTH AND SAFETY - SHEARING SHEDS

Application of Regulations

2030. Mr KOBELKE to the Minister for Labour Relations:

- (1) Do WorkSafe regulations apply to workers in shearing sheds on the same basis as any other workplace?
- (2) If no to (1) above, in what ways are the requirements for health and safety applicable to shearing sheds varied from those that apply in other workplaces?
- (3) What, if any, requirement exists under health and safety regulations for the provision to workers in a shearing team in relation to the provision of -
 - (a) toilets;
 - (b) wash basins and soap;
 - (c) separate eating areas;
 - (d) adequate lighting;
 - (e) adequate ventilation;
 - (f) standards relating to fumes and noise from petrol driven engines in the workplace;
 - (g) worksite accommodation?
- (4) How many inspections, if any, have been made of shearing sheds in relation to any or all of the above matters in the 1995-96 financial year?
- (5) How many prosecutions have been initiated by WorkSafe in relation to any of the above matters in shearing sheds during the 1996-97 financial year?

Mr KIERATH replied:

- (1) Yes.
- (2) Not applicable.
- (3) (a)-(c) Regulation 3.20.
(d) Regulation 3.13.
(e) Regulation 3.15 (air temperature) and Regulation 3.38 and 3.39 (ventilation).
(f) Regulation 5.19 and 3.46.
(g) None.

(4)-(5) None.

OCCUPATIONAL HEALTH AND SAFETY - CSBP, KWINANA

Notifiable Occurrences

2031. Mr KOBELKE to the Minister for Labour Relations:

- (1) In the 1996 calendar year, how many injuries or notifiable occurrences under the Occupational Safety and Health Act 1984 and its regulations were made by employers to WorkSafe from companies or industries operating from the CSBP site in Kwinana?
- (2) What was the date of each notification and the nature of the event or incident which was reported?

Mr KIERATH replied:

- (1) Analysis of the data indicates there were two notifiable occurrences reported to WorkSafe Western Australia in 1996. WorkSafe Western Australia records data that can be primarily searched by the name of employer rather than the location of occurrence.
- (2) The details of the two reported occurrences are as follows:
 - an injury occurring on 7 February 1996 resulting in sprains to the lower back due to manual handling; and
 - an injury occurring on 22 March 1996 resulting in a fracture to the bone in the neck due to a falling object.

SCHOOLS - PRIMARY

Guildford - Heritage Listing

2074. Mrs ROBERTS to the Minister for Heritage:

- (1) What stage of consideration is Guildford Primary School for heritage listing?
- (2) Is there any way of expediting the heritage listing of Guildford Primary School which is the oldest primary school in Western Australia?

Mr KIERATH replied:

- (1) Guildford Primary School is currently under consideration by the Heritage Council of Western Australia for entry in the Register of Heritage Places.
- (2) No. The Guildford Primary School is being considered in accordance with the requirements for Registration under the Heritage of Western Australia Act 1990.

QUESTIONS WITHOUT NOTICE

HOSPITALS - PRINCESS MARGARET HOSPITAL FOR CHILDREN

Ward 6C - Closure

587. Dr GALLOP to the Premier:

I refer to the crisis in our public hospitals and the Government's decision not to provide further support: Why are 1 000 children waiting for urgent surgery at Princess Margaret Hospital for Children while ward 6C remains closed for lack of funding?

Mr COURT replied: Ward 6C was a day ward that was closed three years ago after an amalgamation with ward 6A, another day ward.

Mr McGinty: You could make a big dent in the waiting list if you provided funds to open this ward. Is this the social dividend, Premier?

Mr COURT: I know the member for Fremantle has already given his television interview.

Mr McGinty: Tell us about the social dividend you promised so glibly at the last election, and the promise to lower the hospital waiting list?

Mr COURT: Members opposite should ask themselves who should be asking the question - their spokesperson for Health or the Leader of the Opposition. The opposition spokesperson for Health has said that the closure of ward 6C at Princess Margaret Hospital for Children is a part of the cutbacks that are now occurring in the Health budget.

Mr McGinty: I have said nothing of the sort Premier. You are not telling the truth. I have said that you should provide the funds to open it.

Mr COURT: Ward 6C was closed three years ago after it was amalgamated with another day ward.

Mr McGinty: Did you have 1 000 kids on the waiting list three years ago? I do not think so.

Mr COURT: This amalgamation provided the same number of beds and gained efficiencies for the hospital and better care for patients.

Several members interjected.

The SPEAKER: Order! I know the importance of this question. I am providing an opportunity for members to interject; however, too many members want to interject at the one time.

Mr COURT: Ward 6C is used as an overflow area when renovation work is being undertaken on other wards in the hospital. It is no secret that the Health budget has been under pressure for many years. Before the last election the Leader of the Opposition, who asked this question, said that the hospitals would not be able to operate within their budgets.

Several members interjected.

Mr COURT: The hospitals finished the financial year within their budgets, so I do not know why members opposite would laugh about that point. We are about to debate health issues.

Mr McGinty: Is that the best the Premier can do in answer to that question?

Mr COURT: My answer to the question was that a decision was made on that matter by the hospital three years ago.

DRUGS - LOCAL ACTION GROUPS

Number and Funding

588. Mr BAKER to the Minister for Family and Children's Services:

- (1) How many local drug action groups have been established within the Perth metropolitan area?
- (2) What is the extent of the State Government's financial assistance towards the cost of running such groups?
- (3) What is the process by which a local drug action group is formed?

Mrs PARKER replied:

I thank the member for some notice of this question.

- (1) Currently 25 local drug action groups are established around the State, of which 17 are in metropolitan Perth. In our strategy "Together Against Drugs" we are committed to bringing the number of local drug action groups to 40 across the State.
- (2) The Government provides a \$1 000 seed grant to each group. Groups may also apply to the WA Drug Abuse Strategy Office for project grants of a similar amount. Groups which are incorporated can also apply to bodies such as Healthways and the Lotteries Commission.
- (3) Community service clubs such as Rotary and Lions Clubs International have been instrumental in initiating groups around the State. I am grateful for their support of this project. The establishment of a local drug action group is usually undertaken through a public meeting which includes all interested parties and the general public from the local community. The public meeting identifies local issues and potential local solutions and resolves to form a local drug action group. The latest group was established in Midland a couple of weeks ago, following a public meeting which was attended by 150 people and chaired by the President of the Shire of Swan. These drug action groups are a very good example of cooperation between the Government, the community and local government. I commend anyone who is involved in a local drug

action group. These groups are now starting to consolidate their activities and come through with some fairly comprehensive projects.

DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS - INDEMNITY

Status

589. Dr GALLOP to the Treasurer:

Does the State Government stand behind the indemnity issued by the Department of Productivity and Labour Relations on 29 April this year?

Mr COURT replied:

Yes. I take this opportunity to clarify a few issues about indemnities. I just heard the notice of a motion given about an indemnity issue. There seems to be some confusion among members opposite about what we are referring to. As the Leader of the Opposition will be aware, Treasurer's Instruction 821 and a circular to Ministers, No 44/94, were issued for the benefit of members. They were put in place by the Government following the Royal Commission into Commercial Activities of Government and Other Matters, which had investigated the gentlemen's agreements entered into by the Burke Labor Government. These agreements ended up costing the Western Australian taxpayer dearly - \$150m for the Rothwells indemnity, while the Teachers Credit Society indemnity cost \$128.5m and the Swan Building Society indemnity cost nearly \$18m.

Treasurer's Instruction 821 applies to statutory indemnities and sureties; that is, indemnities given under an Act of Parliament. A statutory guarantee or indemnity is given under an Act; for example, under the Gold Corporation Act the State guarantees the payment of a cash equivalent of precious metals due, payable and deliverable by Gold Corporation. In the instruction a surety is defined as being a guarantee or indemnity which is not provided under an Act; for example, in 1992 the Government provided guarantees to the Western Australian Cricket Association and the Western Australian Football Commission for maximum amounts of \$5.9m and \$4.9m, respectively. The instruction specifically states that it does not apply to an indemnity which is 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 an advertisement. The standard contract that we and all people have with *The West Australian* includes an indemnity clause, which I will table should members wish to read it.

An indemnity is 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; for example, the royal commissioner involved in the inquiry into the Wanneroo City Council and counsel assisting the commissioner. The statutory guarantees, indemnities and sureties covered by the instruction must be recorded in a register and only the Treasurer can issue the surety after Cabinet approval. A copy of the surety that is issued must be tabled in Parliament within 10 sitting days. All these statutory guarantees, indemnities and sureties are included in the Treasurer's Annual Statements which are then tabled in Parliament.

These requirements do not apply to the common type of indemnities that are excluded from the operation of the instruction; however, any surety falling outside the instruction, which creates a material contingent liability for an agency, is required to be disclosed in the agency's annual report. The Crown Solicitor's Office advised that the indemnity of the Department of Productivity and Labour Relations was incidental to the contract for the broadcast of the advertisements; therefore, Treasurer's Instruction 821 did not apply. The Crown Solicitor's Office has also advised that there was no exposure to the Government in giving the indemnity.

Dr Gallop: Do you think that is a satisfactory situation?

Mr COURT: I am just telling members what the situation is. Literally hundreds of indemnities are given every year and, as I said, the most mundane contracts that we carry out often include indemnity clauses. I did ask the Public Sector Management Office to examine this issue. It found that the instruction was not applicable, but said that the Treasurer's Instruction should be reworded and put into more lay language so it was easier for people to understand. Treasury is working on that.

In conclusion, as a result of the advice that has been received from the Crown Solicitor and the Public Sector Management Office, I am satisfied that proper processes and procedures were followed. All legal advice indicates there was no risk to the Government or taxpayers. Members opposite are confused with the different types of indemnities, guarantees and sureties that are issued.

[See paper No 653.]

UNIONS - DUES

*Threats over Payment***590. Mrs HODSON-THOMAS to the Minister for Labour Relations:**

Some notice of this question has been given.

- (1) Has the Minister received any calls concerning threats made by unions over the payment of union dues?
- (2) Which state and federal laws cover payments of membership dues when a worker wishes to leave a union?

Mr KIERATH replied:

- (1)-(2) I have no pleasure in saying that my office has received many calls recently from workers who have had letters from unions demanding payment of dues. This has often been the case, despite the fact that the workers have not worked at a site, or in some cases in a particular industry, for months or even years: In other words, they have had no union service whatsoever, yet they have received a letter demanding money. The relevant section of the state legislation is section 64A-C of the Industrial Relations Act. It provides for immediate resignation in writing and it takes effect on the day the resignation is received; otherwise the membership expires after three months of the members' being non-financial. The situation is similar in the federal arena: The union has 12 months in which to collect arrears. In both cases resignation is allowed by letter. However, I advise people not to trust sending their letters to their unions as normal mail; I would send it by registered post.

Ms MacTiernan: Why is that?

Mr KIERATH: One union managed to lose 800 ballot papers that were sent to it - they had the wrong name filled in on them. This is a disgusting aspect. Workers innocently and naturally assume that if they stop paying their union fees, their membership will lapse, as would occur in any other organisation in which they were involved. In this case they are under threats by some unions. These are the same unions that protested about the Government's last industrial relations legislation, saying it was unfair to workers, and here they are threatening workers for back payment of dues to unions to which they did not even know they owed money. One union swears it is there to protect workers. What does it do? It calls in the bailiff because a member had not paid several hundred dollars of membership fees for services he did not receive. How greedy, how unscrupulous, how mercenary and how miserable can an organisation be to turn on its members like that? That shows it is not interested in justice for its members; it is interested only in greed and money.

DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS - INDEMNITY

*Tabling***591. Mr KOBELKE to the Treasurer:**

The Treasurer tabled recently an indemnity dated 29 April 1997. Was a second or further indemnity offered by the Department of Productivity and Labour Relations, dated on or around 5 May? If so, will the Treasurer table that also?

Mr COURT replied:

I am not aware of any other indemnity.

Mr Kobelke: In your comments in this place last week, which are reported in *Hansard*, you said there was an indemnity of 29 April and for other reasons of 5 May. You did not say it was an indemnity, but I assume it was.

Mr COURT: I will find out what was being referred to.

EMPLOYMENT AND TRAINING - SOUTH WEST

*Worsley Alumina Pty Ltd - Job Creation***592. Mr OSBORNE to the Minister for Resources Development:**

One of the issues raised most frequently with me in my electorate recently has been job creation, especially for young unemployed people in the Bunbury region. As the Minister has just come from the announcement this morning by Worsley Alumina Pty Ltd of an \$800m expansion of its bauxite and alumina operations, can he outline what efforts will be made to maximise job creation in the south west?

Mr BARNETT replied:

I thank the member for his question and acknowledge his support together with that of other members in the south west for maximising the opportunities from large resource projects. Members will be pleased to know that Worsley Ltd has finally announced the go ahead of its major expansion costing some \$830m. It expects to start construction in October of this year. The peak construction workforce will be of the order of 1 000 jobs on site. It is by far the largest project in the south west for over a decade. The plant is due to be commissioned around March 2000 and create at least 150 permanent jobs. The construction is being handled by a joint venture of Kaiser-Bechtel. In response to the detail of the question, I am pleased that Kaiser-Bechtel will be establishing a recruitment and training office in Bunbury. A great deal of effort has already been put in place to make sure that as much of the work as possible and as many of the job opportunities as possible go not only to Western Australians but particularly to local firms and people living in the south west. It is a continuing exciting time for the south west.

CRIME - ARMED ROBBERY*High Rate - Government Action***593. Mrs ROBERTS to the Minister for Police:**

The Australian Bureau of Statistics' crime statistics released in July of this year confirm that Western Australia has the highest armed robbery rate of any State in the country - up 44 per cent between 1995 and 1996. Given these shameful and shocking figures, what action is the Minister taking to turn this problem around?

Mr DAY replied:

I agree that the ABS statistics point to a concerning trend with armed robberies in Western Australia. I note that the member for Midland did not draw attention to any of what may be termed the more favourable statistics in the figures that were released. There was also some very good news for Western Australia, particularly with the trend that is occurring in car theft in this State, no doubt in part as a result of the Government's immobiliser program. We believe that the armed robbery rate in Western Australia is due to two primary factors: First, the incidence of drug use, particularly the heroin problem where use has increased to a large extent and where people are stealing to be able to buy the drug on the streets, as a result of which they are committing armed robberies; and, second, the consequence of the pawnbrokers legislation, which has been very effective in reducing the number of home burglaries and thefts and reducing the ability to sell goods through pawnbrokers. We are taking action to deal with this problem. The member for Midland would be aware that Cabinet has given approval to drafting the control of weapons Bill, which will give police the power to confiscate weapons, other than firearms, where there is a reasonable suspicion that they could be used inappropriately. It would also establish a regulation system where certain offensive weapons would not be able to be possessed in Western Australia. The Bill is in the process of being drafted. I look forward to it being introduced into this Parliament before the end of this year - I hope. Given the comments of the member for Midland, I trust that we will have full cooperation from the Opposition in getting the Bill passed as quickly as possible.

CRIME - ARMED ROBBERY*Squad - Budget Cut***594. Mrs ROBERTS to the Minister for Police:**

As a supplementary question, does the Minister know if the armed robbery squad's operating budget has been cut and, if so, by how much?

Mr DAY replied:

I am not sure that it is a supplementary but I am happy to answer it. It is not a question of the armed robbery squad's operating budget having been cut by any amount. If there has been a reduction in the discretionary budget applicable to that squad, the decision is made by the Commissioner of Police and his senior management team. As the member for Midland and the Leader of the Opposition would by now understand, I hope, it is not the role of the Minister for Police to determine individual budget allocation to squads.

Dr Gallop: What is your role?

Mr DAY: That would be a supplementary question.

Dr Gallop: What function do you do in Western Australia in 1997?

Mr DAY: That will be the subject of a question for another day. I am very happy for the Leader of the Opposition to ask the question and I am happy to answer it, but I will answer this question today.

Dr Gallop: I would like to ask you what you do every hour of the day because you do not do anything in this Parliament.

Mr DAY: If there has been any reduction in the discretionary allocation of the budget to the armed robbery squad, first, it is a decision for senior police management and, second, there is no reduction in the operational capacity of the armed robbery squad. If there has been any allocation reduction, it may put pressure on the amount of overtime, but it will not affect the operational capacity.

MOTOR VEHICLES - REGISTRATION

Two Names

595. Mr JOHNSON to the Minister representing the Minister for Transport:

Will the Minister please explain whether it is planned to change car registration guidelines so that a car can be registered in the names of two people? This matter has been brought to my attention by a couple who want their car to be registered in both names because they both use the car and contribute towards the repayments; and, secondly, by a constituent whose husband passed away and whose family now has to go through the process of reregistering the car in her name.

Mr OMODEI replied:

I thank the member for some notice of this question. The Minister for Transport has supplied the following response:

Vehicles are registered in one name to comply with enforcement requirements. These requirements are not governed by policy but are provided for under the Road Traffic Act. There are no plans to change these provisions and register vehicles in more than one name. Options are currently being considered to find ways of overcoming this problem.

Where a vehicle is owned by more than one person, this is recognised with a notational entry, and one of those persons is nominated by all owners to be the person entered on the register. Nomination of a particular person, as required by the legislation, need have no bearing on the legal ownership of the vehicle.

Subsequent applications for change of name of the registered owner as nominated are considered under the following guidelines: Where legal ownership remains static - that is, joint owners remain the same - no transfer fee is payable and the transfer application is accepted as a change of name only; and where legal ownership alters - that is, a change in the structure of the joint ownership - stamp duty and a transfer fee are payable.

Where ownership is transferred to a beneficiary from a deceased estate, a reduced stamp duty rate applies to a maximum of \$5 along with a transfer fee currently set at \$12.80.

STATE SUPPLY COMMISSION - PRIVATE BUS CONTRACTS

Report

596. Ms MacTIERNAN to the Minister for Works:

- (1) Did the State Supply Commission raise concerns about the terms of the private bus contracts and, in particular, about the heavy dependence on negotiation to manage cost blow outs?
- (2) Will the Minister table the State Supply Commission's report?
- (3) If, not why not?

Mr BOARD replied:

I thank the member for some notice of this question.

- (1)-(3) The State Supply Commission did not conduct a review of the terms and conditions of the bus contracts that were let last year. However, the State Supply Commission's role is one of monitoring policy compliance across government, which it does on a random basis. It was asked by the Executive Director of Metropolitan Transport to review policy compliance in May 1996 as a result of the publicity that was being generated at the time. The Department of Transport has a stage 1 partial exemption and does not need the State Supply Commission's approval to call or award tenders. A report was finalised on 16 June 1996 and recommended that the evaluation panel reconvene to consider the matters raised by the commission. This was to ensure a consistent process for all tenderers across all contracts. The evaluation panel was reconvened and all matters raised by the State Supply Commission were considered. The State Supply Commission did not review the terms and conditions of the contracts. It monitored compliance with its policies.

Ms MacTiernan: Regardless of whether it did a full review, did it raise concerns about the bus contracts?

Mr BOARD: In its review of compliance with policy, it raised some minor concerns which were looked at and adjusted prior to the awarding of the contracts.

STATE SUPPLY COMMISSION - PRIVATE BUS CONTRACTS

Report

597. Ms MacTIERNAN to the Minister for Works:

Will the Minister table the report detailing those minor concerns?

Mr BOARD replied:

I have no problem tabling the State Supply Commission's report on its policy audit of the bus contracts.

[See paper No 654.]

SEWERAGE - MUNDARING WASTE WATER TREATMENT PLANT

Overflow

598. Mrs van de KLASHORST to the Minister for Water Resources:

Recently there was an overflow into the Jarrah roadside subsurface soak drain from the new Mundaring waste water treatment plant.

- (1) Did this overflow affect the Jane Brook catchment area?
- (2) Can the Minister assure the residents of the hills and Mundaring area that steps have been taken to ensure that no further overflow will occur?

Dr HAMES replied:

I thank the member for some notice of this question.

- (1)-(2) Yes, there was an overflow into the Jarrah Road drain from the Mundaring Weir site during heavy rainfall recently. That overflow was largely stormwater and I gather was of better quality than the water in the drain. The Water Corporation has undertaken to have further discussions with the Mundaring Council and the Department of Environmental Protection to see what steps should be taken to prevent this from happening in the future.

MINISTRY OF FAIR TRADING - REAL ESTATE INDUSTRY

Complaints

599. Ms MacTIERNAN to the Minister for Fair Trading:

From 1 July 1993 to November 1995 the Ministry of Fair Trading received approximately 1 400 complaints against real estate agents and settlement agents.

- (1) How many complaints of this nature have been made since 1 December 1995?
- (2) How many of these complaints led to prosecutions before the relevant supervisory boards or before the courts?
- (3) Will the Minister release the results of the Les Smith inquiry into the adequacy of complaints handled by the real estate industry business unit?
- (4) If yes, when will this report be released and tabled in Parliament?

Mr SHAVE replied:

I thank the member for some notice of this question.

- (1) 892 complaints were received as at 3 September 1993.

- (2) 188 prosecutions or inquiries before either the courts or the relevant board since 1 July 1993. Some of these relate to complaints lodged before that date.
- (3) Yes.
- (4) A draft report by Mr Les Smith has been presented to the Acting Executive Director of the Ministry of Fair Trading and I expect him to discuss the report with me when it is finalised. As I stated in *Hansard* on 12 June 1997, when the Acting Executive Director provides me with a copy of that report I will be pleased to table it in the House.

POLICE - SNIFFER DOGS

Local Training

600. Mr OSBORNE to the Minister for Police:

On 9 April, in answer to a parliamentary question without notice from me in which I raised the local training of sniffer dogs for use in drug detection operations, the Minister advised that an internal review of the canine section had commenced in March this year as part of the quarterly reporting requirements under the Delta program. The review was to examine the availability of police dogs for drug detection operations and was to have been completed on 30 June 1997.

- (1) Has the review of the canine section of the Police Department been completed as promised?
- (2) Has the potential for training dogs in Western Australia been assessed as part of this review?
- (3) What is the potential of the increased use of sniffer dogs in drug detection activities in Western Australia?

Mr DAY replied:

I thank the member for some notice of this question.

- (1) Yes, the review has been completed. In addition, the officer in charge of the Victoria Police dog squad began an assessment of the canine section yesterday, 8 September.
- (2) A member of the Western Australia Police Service canine section is in Victoria obtaining nationally accredited qualifications which will enable him to locally train all future police dogs.
- (3) The potential for the increased use of drug detector dogs is high. One of the priorities of the new training officer in Western Australia will be to train narcotic detector dogs as well as general purpose dogs to meet the ever growing demand for drug detection services.

ROYAL AGRICULTURAL SOCIETY - C AND J SHOWBAGS

Allocation of Site at the Royal Show

601. Mr BROWN to the Premier:

I refer to the Royal Agricultural Society of WA's decision not to allocate a site to C and J Showbags for this year's Royal Show.

- (1) Will the Premier consider leasing one or more of the Government's sites at the Claremont Showgrounds to C and J Showbags to allow it to trade at the Royal Show?
- (2) If not, what other action is the Premier considering to help this small business?
- (3) Will the Premier give an assurance that he will not stand by and watch while C and J Showbags hits the wall?

Mr COURT replied:

- (1)-(3) The member came to Radio 6PR last Tuesday and became involved in an ambush interview on this issue. I do not think that that is the appropriate way to handle the matter. I do not think that action helped the person because -

Several members interjected.

Mr COURT: As the member knows, I met with the gentleman concerned. He ran through his concerns with me and

I said that I would discuss the matter with the Royal Agricultural Society and get back to him that day, which I did. The RAS explained that it gave notice to the man the previous year. The RAS had extended its policy and allowed the man to trade at the Royal Show last year, but explained that under its policy he would not receive a licence this year.

Several members interjected.

Mr COURT: I do not interfere and the Government should not interfere in the operations of the Royal Agricultural Society. It would be the same as asking me to interfere in the running of the Labor Party - and I have no intention of doing that!

Several members interjected.

The SPEAKER: Order!

Mr COURT: I also contacted the member for Mitchell about this matter, because the gentleman explained that the member for Mitchell -

Mr Ripper: And you convinced him to complain to the constituent about the fact that he had gone to the Opposition!

Mr COURT: No. I contacted the member for Mitchell because the gentleman said the member had been assisting him. The member for Mitchell explained to me that he had an appointment with the gentleman the previous Friday but the gentleman had not kept that appointment. He did not attend the appointment on Friday but he showed up at 6PR on Tuesday. The member for Mitchell has been genuinely trying to help. I told him that I was prepared to help, but I will not interfere in the operations of the Royal Agricultural Society.

ROYAL AGRICULTURAL SOCIETY - C AND J SHOWBAGS

Allocation of Site at the Royal Show

602. Mr BROWN to the Premier:

Is the Premier saying that there is nothing he or his Government can do - or is prepared to do - to help this desperate Western Australian small businessman to prevent him from going broke?

Mr COURT replied:

If I were to use my so-called influence to force the Royal Agricultural Society to change its policy, I would then have about 100 other people wanting stands in certain locations at the showgrounds. It is not the responsibility of the Government, and I should not be interfering in the society's business.

GOVERNMENT EMPLOYEES HOUSING AUTHORITY - AIRCONDITIONING POLICY

Local Contractors

603. Mr McNEE to the Minister for Housing:

Some time ago the Minister announced the new airconditioning policy for government employees in country towns. Has the Minister ensured that local contractors in country regions have been given the opportunity to tender for these new installations?

Dr HAMES replied:

I thank the member for some notice of this question. We are very proud of the extension to the airconditioning program that the Government has introduced in GEHA housing. The line through Eneabba was extended to Norseman and included all the towns in a block from Norseman in the south, to Northam in the west, and then to Eneabba in the north. There was the question of who would receive the contracts, and whether those contracts would be awarded in a block to city contractors to install the airconditioning. I am pleased to announce that that has not been the case. For the purpose of awarding contracts, the area was divided into four zones: Kalgoorlie, Merredin, Northam and Geraldton. In Kalgoorlie, five contractors were awarded contracts totalling \$1.085m covering 352 properties. In Merredin, four contractors were awarded contracts totalling \$560 000, and in Northam five contractors received contracts to the value of \$890 000. Three contractors in Geraldton won contracts valued at \$460 000. The total value of all contracts amounted to \$3m - all going to local businesses. The Kalgoorlie zone proved to have the most competitive contractors in Australia. Those tenders were 16 per cent lower than the average cost of installing airconditioning and I congratulate those contractors. This is a tremendous initiative by the Government for GEHA housing.

PORTS AND HARBOURS - OAKAJEE

*Selection of Developer***604. Mr GRILL to the Minister for Resources Development:**

Will the Minister confirm that the selection of a developer for the proposed private development of port facilities at Oakajee will be by way of an open, competitive process or is the Government considering a Kingstream-Thiess proposal to build the port?

Mr BARNETT replied:

The Government is looking at the options. Kingstream-Thiess has a proposal under which it will build and own the port. It is not an attractive proposal for the Government. We intend the process to be open and competitive because, in every sense and perception, the port must be one for all users, not only one project. However, we may have a variety of options. For example, I would not rule out the prospect of the project funding the facility over which it has exclusive use. In other words, I do not see why the proponent could not contribute directly to part of the berth which is exclusive to the project. No decision has been made. It will be an open process.
