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(HANSARD)

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LEGISLATIVE ASSEMBLY

Thursday, 18 November 1999

Legislative Assembly

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THE SPEAKER (Mr Strickland) took the Chair at 9.00 am, and read prayers.

ONSLOW GAS FIRED POWER STATION

Statement by Minister for Energy

MR BARNETT (Cottesloe - Minister for Energy) [9.03 am]: I wish to advise the House that last month the town of Onslow began to receive electricity supplies from a privately owned 3.36 megawatt gas fired power station. This is a good result for the community at Onslow and is another example of how deregulation of Western Australia's energy market is improving services to regional Western Australia. The power station will supply about 2 MW of power to the \$80m Onslow Salt project which is nearing completion adjacent to the town, and about one megawatt will be available to the town's 880 residents. This outcome shows how new resource projects are bringing direct and tangible benefits to communities. Onslow Salt and Western Power are to be congratulated for their co-operation and commitment to improving power services to the area. This energy infrastructure project is consistent with the Government's electricity supply policy for remote regional areas which encourages private sector generation of electricity at lower than current costs.

Onslow Electric Power built, owns and operates the power station that is almost double the size of the former station. Gas supply to the power station, via a newly constructed 32 kilometre gas pipeline from the Tubridgi gas field has sufficient capacity to generate up to 6 MW of electricity to meet future growth requirements. The total project has cost \$7.5m of which the State Government has provided \$3.05m as an interest free loan to Western Power to fund the construction of the pipeline. The loan will be reviewed after 10 years with a view to extending it, taking into account the load growth and profitability of electricity supply to Onslow at the time.

Until recently, the town of Onslow was supplied by diesel generators operating at a loss to Western Power of around \$750 000 each year. The new gas fired station will provide cleaner and cheaper electricity, reducing Western Power's costs to near break even and providing a reliable source of energy for future developments. Additionally, the power station will reduce greenhouse gas emissions by 25 per cent compared to the old diesel generators. Large business customers will be able to negotiate directly with the power station owners and uniform tariff for electricity supply to domestic and small to medium-size businesses in the region will remain. It is the State Government's proper role to assist in providing such infrastructure when it will clearly benefit whole communities and when it encourages other developments to set up in those regions, such as has happened in Onslow.

JOBS FOR YOUTH INITIATIVE

Statement by Minister for Employment and Training

MR KIERATH (Riverton - Minister for Employment and Training) [9.05 am]: I rise to make a brief ministerial statement on the latest Jobs for Youth initiative. Priority Access policy is an exciting innovation aimed at using government procurement and contracting policy to increase the training and employment opportunities for young Western Australian job seekers. Businesses will be able to boost their chances of winning government contracts in future by employing more young people. At the launch of the Western Australian Department of Training and Employment's Priority Access program, I said that the main aim was to reward employers who agree to undertake recognised training programs in the workplace. Priority Access is an accreditation system which will consider each business's commitment to training as a prerequisite to the allocation of large state government contracts. Soon, only accredited businesses will be eligible for most government contracts.

When fully implemented, Priority Access will represent a major boost for the youth job market with a significant rise in the number of apprenticeship and traineeship positions expected. This important initiative will ensure that the number of training and employment opportunities for young people is continually increasing and that the Western Australia labour market is well equipped to handle the demands of future employment needs. While no employer will be forced to support this project, there will be significant rewards for those who demonstrate their commitment to a positive training culture by taking on apprentices and trainees.

Businesses tendering for State Government building and construction contracts valued at more than \$150 000 or goods and services contracts valued at more than \$500 000 would need to acquire accreditation to obtain contracts. Accreditation can be achieved across a wide range of training criteria, which also includes the employment of graduates from the vocational education and training sector, VET, participation in accredited workplace training and support for structured work experience programs. Employers will benefit greatly from the Priority Access initiative with a continuing increase in skills levels and reduced employee turnover. Priority Access will be phased in to contract buying over the next 18 months with most government tenders eventually being awarded to Priority Access employers. Priority Access replaces the preferential tendering policy currently used in the awarding of Contract and Management Services contracts. Homeswest's existing Priority Access tendering policy for construction contracts will continue. Priority Access is a further demonstration of the State Government's leadership and commitment to training and employment opportunities for young Western Australians.

KALGOORLIE ELECTORATE, LAND BANK

Grievance

MS ANWYL (Kalgoorlie) [9.07 am]: I have a grievance to the Minister for Planning which relates to the availability of vacant land in my electorate. People in my electorate want a land bank to be established quickly. There has been a shortage

of land, a lack of choice and the cost of land has escalated unacceptably over the past several years. There is also the issue of a grassed golf course which is highly dependant on the development of the north west sector. The Minister for Planning certainly has a hide. He has sat on the front bench for years and listened to the Premier talk about land shortages in Kalgoorlie. In particular, on the impact of native title, the Premier said on 19 November 1997 -

The problem is that a significant new release of residential or industrial land has not been made in Kalgoorlie for at least two years because of delays associated with the legislation.

The Premier was talking about native title legislation. The fact is that native title, in relation to the north west sector, was resolved earlier this year and there was an expectation that the development of the north west sector would proceed this financial year. The minister put out a press release last Thursday which stated that it would be unwise to spend money in relation to the north west sector if there are other landfill sites that might be developed in Kalgoorlie-Boulder.

The purpose of my grievance is to seek a guarantee from the Minister for Planning that he will not attempt to alter the direction of the Department of Land Administration's commitment to the development of the north west sector of Hannans. Although land is available in Kalgoorlie, there is not a lot of choice. The biggest land is a new subdivision at Hampton Heights. It is currently at stage 2A and blocks are available between \$74 000 and \$109 000. A significant number of those blocks are noise affected. Therefore, not only does an 800 square metre block cost \$75 000, but the sale notice advises that noise-affected lots will require the buildings erected on them to have acoustic treatment, estimated to cost \$3 000 to \$4 000. That is what is presently available in Kalgoorlie-Boulder. Some of the available lots cost \$75 000, plus an extra \$3 000 or \$4 000 to have the building insulated against aircraft noise. I do not know how wise it is to plan for houses to be built so close to an airport. I am not suggesting a huge development of lots to flood the market. It is clear that the major player, the Master Builders Association, is concerned. The City of Kalgoorlie-Boulder Council is also concerned. We want a land bank established now so that we can begin to plan for the future. The minister's comments alarmed many people in Kalgoorlie-Boulder. I did not have to ring people about the matter. They rang me because they do not want the State Government to move away from its previous commitments to develop the land north of Hannans. If the Government is short of funds to develop the infrastructure, as the minister's comments suggest, it should pass the development to a body which has those funds, such as the city council. The City of Kalgoorlie-Boulder already has a good track record with the development of the O'Connor subdivision.

The golf course issue has been alive since 1981. I have a note from a golf course committee member which states -

This continuing saga has been extremely detrimental to both clubs because many projects are put on hold each time negotiations are commenced. I have no doubt that Kalgoorlie would now have two fully grassed golf courses if a decision was made back in 1981.

The Golf Clubs need a decision from Government **now**, so that one way or another we can get on with developing our golf courses knowing our future is assured, or relocating to a grassed golf course befitting a city the size of Kalgoorlie/Boulder. The uncertainty of our future is damaging to the golfing fraternity in the region and it has been the interference by Government that has stopped this city from getting at least two grassed golf courses.

Kalgoorlie-Boulder has three golf courses, but none of them is grassed. It is an issue of regional development. I do not play golf and I am not passionate about it, but I know many people who are. Kalgoorlie-Boulder deserves a grassed golf course. It is long overdue. I would like a commitment from the minister. I know that the land release task force report is being handed down in Kalgoorlie today. I have not seen it. However, the minister commented in his media release that -

"In the past, big sums of money have been invested in installing services, infrastructure and developing land within the existing city boundary. "So it would be unwise to spend more money on developing large areas of the north-west sector, when large serviced areas within the city remain vacant."

Everyone in Kalgoorlie is scratching their heads because they cannot find these so-called sites that can easily be developed. I understand that officials from the Department of Land Administration made a lot of telephone calls in Kalgoorlie-Boulder last week in the wake of the minister's comments, trying to find out precisely where these sites are. I have no objection to developing further infill sites as long as no toxic waste issues are associated with that. I want the Minister for Planning to work in conjunction with the Minister for Lands to ensure that the development of the north west sector of Kalgoorlie-Boulder proceeds in an orderly fashion. People in Kalgoorlie want choice and affordability. They want the choice of moving into larger areas of land and building improved housing on that land. It is not question of flooding the market but of proceeding in an orderly fashion. The Minister for Planning's comments have thrown a lot of doubt on previous statements by this Government.

MR KIERATH (Riverton - Minister for Planning) [9.14 am]: I was somewhat surprised that the member for Kalgoorlie accused me of having the hide to talk about land development in Kalgoorlie. The biggest obstacles to native title clearance have been members on her side of the House. I cannot understand how she has the hide to stand in this place and raise the issue.

Ms Anwyl: The native title issue was resolved earlier this year.

Mr KIERATH: I will show that this Government is even handed and that it looks after the interests of the member's electorate, even though she is not part of the Government. I was surprised when I realised that the member for Kalgoorlie had read my press release. If she is going to read every word of my press releases, I might write them differently next time. The press release does not put the spin on the issue that the member says it does. It actually says that two things will be happening. It says that there are a lot of infill lots in Kalgoorlie which can be developed and that the Government will

develop the north west sector at the same time, instead of doing it in one lump. If the member has read the press release, she will have seen that two paragraphs down from the part she quoted it states -

. . . land development within the North West Sector to be staged . . . to allow the simultaneous development and redevelopment of urban infill. . . .

This is not my doing because a group was formed to investigate the land development program. The member said that everybody in Kalgoorlie is asking questions because they do not know what is happening. However, both the current mayor, Paul Robson, and the former mayor, Ron Yuryevich, are involved. They are the first two people on my list. The other people on the task force include members of the Kalgoorlie-Boulder City Council and staff. I list them for the member: Rod Alexander, Mark Casserly, Robert Hutchison, Bob Kelly, Damien Martin, Victoria Maxwell, Eddy Piper, Rob Radosevich, Kathleen Stanick and the Kalgoorlie-Boulder Chamber of Commerce and Industry's Barry Kingston. People from the Department of Land Administration and the Ministry for Planning are also on the task force. They made these decisions. They identified the land release program and the lots; they pointed out what is available. Rather than the mischievous spin the member for Kalgoorlie is putting on the issue, we on this side of the House, through the work of the land development task force, have identified about 386 lots of infill land. I quote again -

The Task Force identified substantial opportunities for residential infill and redevelopment within the City, including existing zoned, vacant residential land parcels. In addition, there are significant areas of land that are either serviced or within close proximity of services, but which are constrained by various factors. These areas represent opportunities to capitalise on this investment in services infrastructure.

All the services and infrastructure are available. One would be silly not to allow for the infill and redevelopment of those areas to maximise infrastructure use. The Government is trying to maximise the infrastructure use. I quote again -

Consequently, the Task Force believes that it would be desirable for land development within the North West Sector to be staged, with 200 lots proposed in the first stage -

The developers will put 200 lots in the subdivision -

- to allow the simultaneous development and redevelopment of urban infill areas throughout the City.

Both these things will happen at the same time. Although Kalgoorlie-Boulder experienced high demand over the past five years, the slow-down in the local economy has resulted in a reduction in demand for housing in the city. However, projections of future demands suggest that while the housing market may continue to experience peaks and troughs in the land demand cycle, the annual average demand is estimated to be approximately 220 dwelling units a year. The Government is suggesting there should be 200 lots in the first stage of the development of the north west sector. The task force identified a reduction in available housing stock and limitations in the range of choice and has recommended a lot creation target capable of accommodating 400 residential units per annum to ensure a more stable land and housing market. We believe that is a good assessment of the situation because the Department of Land Administration, the Ministry for Planning, the City of Kalgoorlie-Boulder Council and the Kalgoorlie-Boulder Chamber of Commerce and Industry were involved.

In simple terms, we want the north-west sector to go ahead. We are absolutely delighted that it has finally received native title clearance. We want the first stage to be 200 lots and we want it to go ahead straightaway. We also want to see the development and infill of those additional lots to make sure that we have a good supply of land so the shortage in the supply of land does not push up the prices. It is a very good report. It is a good assessment of the situation and it is a good strategy for the future handling of land in the Kalgoorlie area. I hope that the member for Kalgoorlie will come back to this House in six months and say that she has accepted that it has been very good for the Kalgoorlie area and that the land supply is under control. I, as Minister for Planning, feel confident that, with the expertise and recommendations of that task force, that is the right strategy and has achievable targets. If we do that, even the member for Kalgoorlie will be grateful for the support and assistance which this Government has given to her electorate.

BUSSELTON TOWNSITE

Grievance

MR MASTERS (Vasse) [9.20 am]: I direct my grievance to the Minister for Transport. Unfortunately, his representative in this House, the Minister for Local Government, is not here so I thank the Deputy Premier for being prepared to accept my grievance. If the founding fathers of Busselton knew in 1840 what we know now, Busselton would never have been built on its current site. It would, therefore -

Mr Trenorden: It would be a national park.

Mr MASTERS: A national park or a coastal reserve. Busselton has been built on a soft, sandy coastline. It is very flat and essentially has no natural defences against the inward movement of the shoreline. A general rule in coastal management says that if, for example, there is a 1 metre rise in sea level, the shoreline will advance inland by 100 metres; in other words, an increase by 100. In Busselton's case, a 1 metre rise in sea level would cause the shoreline to move in 2 or 3 kilometres, and possibly further. That means that Busselton would simply cease to exist. Many mistakes have been made in the past because we have not been aware of the inherent instability of Busselton's coastline and the great difficulty in protecting that coastal development against the ingress of the sea; for example, housing development has occurred right onto the edge of the beach. Today many physical structures have been placed along that beach to try to stop those houses, roads and a range of other services from falling into the ocean. In order to protect that badly placed development, we have made further mistakes. Members who visit the Busselton coastline will find that a large number of rock or timber groynes are designed to provide

protection to everything on the west side of those groynes, but which, of course, creates significant erosion on the east side. A large proportion of the Busselton coastline has rock walls at the back of the dune system to provide protection against storm events. However, those rock walls do nothing more than protect sand on the west side and cause erosion on the east side. In winter, it is not uncommon for people to climb over those large gravel boulders, which is very difficult in bare feet, to go down to a beach which has been eroded and which may be only 1 or 2 metres wide.

We have also made the mistake of allowing the Port Geographe development to occur without sorting out beforehand the way in which coastal stability matters or problems need to be resolved. I strongly support the Port Geographe development, but problems in that area need to be resolved. There are also problems with the location of boat ramps and other facilities on the shoreline. Right now the most important issue in Busselton is the lack of community understanding of the dynamic nature of Busselton's coastline; for example, last autumn the Geographe Bay Yacht Club spent \$30 000 building a new ramp to allow it to launch not just its yachts, but also the community's rescue boat. During the winter, with a number of storm events occurring, that boat ramp has now become a de facto groyne. There has been major erosion on its eastern side. The boat ramp has been undercut by waves and extra money has had to be spent on it to protect it from destruction.

In only the past two or three weeks, the Shire of Busselton has appointed a consultant to prepare a management plan for all the coastal reserves in the shire, which is a highly desirable, but short-term, goal. The difficulty is that the consultant has no way of knowing whether those coastal reserves will still be above ground, above water or below water in one, five or 100 years. All that money could, in theory, be wasted if there is no understanding of coastal processes. The Siesta Park camp sites suffered quite badly from erosion over the winter and more rock walls were built. Now, the very reason that people want to go to those camp sites - namely, to enjoy a nice wide, long sandy beach - is no longer there. There are rock walls and 1 or 2 metre-wide beaches. The solution, I believe, is to fund a study that would collate all existing information to achieve two goals. One would be to produce a document that tells the community what is happening in our coastal zone; and the second would be to show us where deficiencies exist in our knowledge and understanding of coastal processes in the Geographe Bay area.

I commend the study that I am proposing to the Government. It would have a maximum cost of \$25 000 to \$30 000. I have an aerial photograph, which will be difficult for members to see, but I will pass it to the Deputy Premier. I point out two lines offshore which are interesting to note. The feature I have marked "A" is an underwater erosion channel. That channel causes erosion where it hits the beach. The feature that I have marked "B" is an offshore sandbar. That sandbar causes accretion, or build-up of the beach, where it hits the beach. In winter there is movement of sand from west to east. In summer there is movement of sand from east to west. A range of other complications result on the coastal zone because we do not genuinely understand the natural processes that occur in Geographe Bay. I sincerely hope that the Government will be able to provide support to the Shire of Busselton and its community which enjoys that area by supporting my proposed study.

MR COWAN (Merredin - Deputy Premier) [9.27 am]: I apologise to the member for Vasse that the minister representing the Minister for Transport is not in the Chamber to take this grievance. I volunteered - I think I was a navy volunteer - to represent him in this grievance. The advice that I have received from the Department of Transport indicates that state government coastal engineers - initially in the Public Works Department, then in the Department of Marine and Harbours and now in the Department of Transport - have been coordinating research on coastal stability in Geographe Bay in conjunction with the Shire of Busselton. I am advised that the research has been limited by funding constraints from both state and local government. However, the Department of Transport feels that sufficient work has been done to give confidence that the present coastal protection strategies which are being followed are correct.

The mechanisms which cause changes to the coast have been identified by a number of published studies, including a Public Works Department report dating back as far as 1973, as well as the University of Western Australia geologists' reports in 1978 and 1983.

Also, some engineering consultants compiled a report in 1989. The shire has also commissioned reports on this coastal structure. The Department of Transport and its predecessors have monitored coastal change since 1942, using aerial photography. This particular photograph has some sharp images which clearly indicate exactly what is there and some of the problems that engineers must confront when they start developing a coastline. There has also been wave monitoring which started in the 1970s, and it is continuing to be recorded at Cape Naturaliste. The tidal regime has been measured to show the relationship between Busselton and the nearby port of Bunbury. The Department of Transport also has survey monitoring information and internal reports which contribute to the understanding of the coastal processes in Geographe Bay. This is only a summary, but it can be seen that considerable work has been done to determine the coastal processes at work in Geographe Bay.

We must firstly recognise that and then turn to the remarks of the member for Vasse, inasmuch as he wants more to be done. Already, work is being undertaken. For example, a report summarising the background work already carried out and outlining a strategy for protecting foreshore development and managing the development of those sections of underdeveloped shore has been prepared by Dr W.S. Andrew - I am sure the member for Vasse is familiar with that work - and the report has been adopted by the shire. It has been accepted as an appropriate strategy for the present and the immediate future. Some people think it could have application for a further 50 years. At the request of the shire, a further report, detailing the basis of this strategy and discussing the engineering options which have been considered, is being prepared for public release. The shire is suggesting that when details of this proposal are confirmed, there should be some discussion with the Department of Transport about joint funding for further research.

The Department of Transport has a high degree of confidence that the present coastal protection strategies are correct.

However, as the member for Vasse predicted, should there be a rise in sea level as a result of the greenhouse effect, it will have a significant impact on the low-lying coastline of Geographe Bay. The research which is being sought by the shire, in conjunction with the Department of Transport, will focus on what will need to be done should the greenhouse predictions prove to be accurate.

Again, the department agrees with the comments of the member for Vasse that the role of state and local governments in coastal management should be understood by the community. In the first instance, we must remind some people that local government authorities that have a coastline within their boundaries are responsible for its management, and that includes addressing any coastal erosion issues. The State Government, through the Department of Transport, provides assistance by way of technical advice and funding. Funding, in itself, is a contentious issue. Historically it has been provided at a ratio of 3:1, State Government to local government, but naturally some people consider this inappropriate and a policy is being prepared on coastal protection which proposes a changed ratio of funding. I have no doubt that the member for Vasse maintains close contact with the Shires of Busselton and Capel with respect to their responsibility for coastal management. The Government would appreciate his support in making sure we receive a commitment from the shires for further funding for the research that needs to be conducted.

TELEVISION CHANNEL 31

Grievance

MR BROWN (Bassendean) [9.34 am]: Community television Channel 31 commenced operating in June 1999. It is operated by a consortium comprising Uni 31 - which consists of Edith Cowan University, Curtin University of Technology, and the University of Western Australia - the Western Australian Trotting Association, the Film and Television Institute (WA) and Community Television Perth. Community television Channel 31 provides an opportunity for local programming, the development of local talent and the involvement of community groups in getting their message to the community. It also provides a great opportunity to develop Western Australian talent, in the form of not only actors, but also artists, musicians, programmers and technical people. Indeed, it provides a much needed Western Australian content on free-to-air television. The television station in recent days has issued a media release indicating its success since being launched in June 1999. That media release states -

After just 22 weeks on air Perth's newest television station Channel 31 Access Television has been rewarded by the local community. Independent survey results have lent support to the view that Perth audiences are ready for an alternative television station. An alternative that promotes an open access medium for local programming, promotes local talent and reflects the diversity and culture of our local community.

Channel 31 General Manager Andrew Brine said he was "absolutely elated at the support the community has given to our brand new station in such a short space of time."

This is just the beginning, with over 80 new local program proposals currently in discussion and 10 new programs in production, Channel 31 and CTV have demonstrated that there is no lack of creative talent right here in our own state. Program Manager Jay Still said "it is extremely exciting to be able to offer the opportunity to local producers from professional to novice to make their own programs and have them on air within 4 weeks of completion. The enthusiasm within the local production industry is phenomenal."

Channel 31 Access Television WA with the ongoing support of local community and business will continue to grow and offer the local voice to the local people. Channel 31 is providing a unique opportunity for even the smallest local business to secure television promotion at very affordable rates.

Channel 31 has been very significant also in assisting the Western Australian Trotting Association. A letter to Channel 31 dated 16 November 1999, from Mr Robert Bovell, the chief executive officer of the WA Trotting Association states, under the heading "Channel 31 - a necessity for WA" -

From a WA harness racing perspective it is absolutely essential for Channel 31 to continue its operations. Because of WA's isolation and time difference with the east coast it is virtually impossible for WA harness racing and, indeed greyhound racing, to secure any form of television coverage via the national Sky pay television network.

The present Channel 31 coverage of Gloucester Park harness racing on Friday evenings has shown very encouraging trends, with TAB phone betting up by over 50% and internet betting increasing by 200%.

Whilst betting is of vital importance, there is also a need to maintain the profile of the local industry. Sky Channel dominates the racing airways, both in TAB shops, PubTABs and on the Foxtel service. Unfortunately, for WA only 2 gallops meetings are shown on the Sky service each week and therefore the profile of the local industry is diminished because the WA public is mainly exposed via television to the interstate harness racing, gallops and greyhound products.

ACNielsen Research Pty Ltd conducted a survey of all the television stations in Brisbane, Sydney, Melbourne, Adelaide and Perth. They asked the local communities whether they had watched any programs on their local community television station in the past week. The results were: Brisbane 10 per cent, Sydney 6 per cent, Melbourne 9 per cent, Adelaide 14 per cent, and Perth, the newest television station, 16 per cent.

Channel 31 was commenced by securing access to \$1.3m in capital funds to establish the technical infrastructure of the broadcaster. It is a non-profit station. It has raised more than \$125 000 to cover operating costs, and has identified \$230 000 in year one for operating expenses. It has been successful in establishing the service, and wishes to provide an opportunity

for the development of local Western Australian talent and the Western Australian industry. It was indicated early in the piece that some formal assistance might be provided by the State in the form of a \$400 000 grant from the Department of Commerce and Trade and \$240 000 from the Central Metropolitan College of TAFE. However, that assistance, while discussed in the early stages, did not come to fruition. As such, that community television station faces a cash flow problem if it is to continue to provide the level of service that it wishes to provide and not be automated or go out of existence. To overcome that problem, it is seeking a guarantee from government that \$300 000 or \$400 000 worth of government advertising will be placed with it over the next 12 to 18 months. While that may sound like a lot of money, it is very insignificant given the amount of television advertising that the Government intends to use. In answer to a question that I asked the Minister for Works the other day, the minister advised that the Government had recently entered into two contracts for advertising, one with Media Decisions for \$112m, and one with Marketforce Productions for \$48m. The amount of government advertising that Channel 31 is seeking equates to about 0.003 per cent of the total amount of government advertising. That is not a large amount for a community television station. My purpose in raising this grievance is to seek a guarantee from the Deputy Premier, who has been supportive of this project, that the Government will provide that advertising to Channel 31 so that the channel can raise the funds that it needs from the bank and various other places in order to continue its operation.

MR COWAN (Merredin - Deputy Premier) [9.42 am]: I thank the member for Bassendean for his grievance and acknowledge the support that he has provided to Channel 31 by his comments this morning. I will correct the member on one area. As everyone in this place knows, the member for Bassendean is usually very thorough in his research, but he does need to be advised that the State Government has always taken the position that it would not directly fund Channel 31 but would seek to provide enough paid work for the station to ensure that it could continue to operate. The Government was instrumental in assisting Channel 31 to obtain an \$800 000 Department of Employment, Education, Training and Youth Affairs grant to commence its operations, but it always indicated to that channel that it would seek to buy air time on that station.

Mr Brown: That is what it is seeking.

Mr COWAN: That commitment has been taken up in a number of areas. I am looking to see whether I can find the agencies which bought advertising time - pre-paid time in some instances - and the agencies which, regrettably, did not do that. The Westlink program has taken up some work with that channel. The member referred to the problem with CMC TAFE, which was to purchase \$240 000 of air time. I have written to the Minister for Training and asked for some details and an explanation of why that commitment by CMC TAFE has not been taken up, and I am still waiting for that explanation. There was also some difficulty with a contract with a data casting operation that fell through and led to a cash flow shortfall for that channel.

The member made a pertinent comment about the need to ensure that some of the advertising that is undertaken by the Government is offered to Channel 31. I have asked the director of the communications unit to ensure that issue is dealt with, and he has written to Media Decisions to indicate that he expects that company to place government advertising with Channel 31. I look forward to seeing a greater placement of government advertising with Channel 31, because at the moment the only body that has placed advertising with Channel 31 is the Department of Commerce and Trade.

Mr Brown: It is to be commended for that.

Mr COWAN: That will continue because of the audience that Channel 31 captures. One of the issues that we needed to face was the chicken and egg situation whereby until the ACNielsen assessment came out, we were not aware and could not back up the extent to which the Channel 31 programs had penetrated the Western Australian audience. However, now that we know that Channel 31's audience penetration stands at the figures that the member has quoted, that gives some comfort to the communications unit in saying to Media Decisions and other people that this television station has a reasonable audience and they can advertise with confidence through that station and be exposed to a certain number of people, because advertising agencies are required as part of their contract with government to deliver value for money and do not want to be accused of not delivering value for money. In this instance, because of the size of the audience that Channel 31 now captures, there is clearly an opportunity for the Government to contact those people through advertising on that channel.

The Western Australian Trotting Association has benefited indirectly through its commitment to Channel 31. The Totalisator Agency Board's takings on the trots have increased by 50 per cent since Channel 31 began to broadcast the Western Australian trots. There has been a spinoff there, and I commend the Western Australian Trotting Association for its commitment to this channel and have no doubt that it is following closely the endeavour by Channel 31 to get a greater number of clients, particularly through government sources, to ensure that it can ease its cash flow problems.

Mr Brown: Is it possible to get a letter from government, given that the advertising contract with Media Decisions is a whole-of-government contract, saying that in the next 12 months, government will place \$300 000 to \$400 000 worth of advertising with Channel 31? That would represent about 0.003 per cent of its total advertising budget of \$112m.

Mr COWAN: That is something that should come later. As I said, at the end of October I asked the director of the communications unit to write to Media Decisions. I have not seen its response. I would prefer it to work on this matter as a consequence of this request, but if the worst came to the worst, I assure the member that I would review that decision and would take something to Cabinet to ensure that Channel 31 remained a viable option in Western Australia.

BEAUMARIS PRIMARY SCHOOL

Grievance

MR BAKER (Joondalup) [9.49 am]: My grievance is directed to the Minister for Education and concerns several issues

affecting Beaumaris Primary School that were raised with me by the school's parents and citizens association on Monday evening. The first issue relates to the need for additional classrooms for the school for the 2000 school year. The need for those additional classrooms has been caused by the decision made in July 1996 by the then Director General of Education that the Government no longer needed to retain a primary school site in the adjacent suburb of Iluka. She believed student numbers at the primary school would begin to decline from 1997. The decision was demonstrably wrong and student numbers at the school have increased from the date of that decision. Had it not been for that decision, I would not have to deliver this grievance today. At present, the primary school has some 587 students housed in 19 classrooms, 16 permanent and three temporary or transportable. I understand on the basis of the Education Department's enrolment projections for 2000 that the school will receive only one additional temporary classroom early in the new year. However, there is already clear evidence that this will not be enough to cater for the foreseeable demand and a second additional temporary classroom will be required early in the new year. As I mentioned, the current primary school enrolment is some 570 students and an enrolment of 595 students next year - that is, eight extra students - will justify the need for the first additional classroom, and an enrolment of 626 will justify the need for a second additional temporary classroom.

I understand the department's current approach will be to wait until week nine next year before determining whether the second additional temporary classroom is required. That seems to be the wrong approach. It will result in many children being changed from their classroom groupings early in the year, some two months after the school year begins. This will be very unsettling for the children at the school, and clearly not in their best interests. The Minister for Education may not be aware that the suburb of Iluka, also known as Beaumaris, is a new, rapidly expanding residential subdivision with various new stages to be released for sale in the near future. Term 3 of this year saw enrolments balloon by some 50 students and I believe this figure will again blow out in late January next year. The point I am making is that it is reasonably foreseeable at this time that there will be an immediate need for two additional temporary classrooms at the beginning of the next school year. It seems wrong to wait until week nine before making that determination.

The second issue I wish to raise is the urgent need for extra car parking bays within the vicinity of the school. On this issue, I invite the minister to inspect the school with me, the school principal and representatives of the parents and citizens association, in the near future to witness first-hand the problems I am raising. There is sheer chaos each morning and afternoon at the school as local traffic seeks to drive past the school on Beaumaris Boulevard and parents attend the school to deliver and then collect their children. In my estimation the school has an immediate need for 70 additional car parking bays and this is particularly the case bearing in mind that the total enrolment for the school - including pre-primary and kindergarten - is 746 students at present. That is the total number of students on that site. The most obvious site for these bays is on Beaumaris Boulevard by way of parking embayments. Another possible site is the public open space bushland situated immediately to the north of the school and owned by the City of Joondalup. This tract of land is underutilised and could be excised and amalgamated into the school site. It would be a good site for a second group of car parking bays. The minister may not be aware that there have been several near misses - or near fatal accidents as parents refer to them - involving school children travelling to and from the school. The parking and traffic management problems will worsen next year as the school's enrolment balloons. This is an issue which must be addressed hand-in-hand with the immediate need for additional temporary classrooms at the school.

The third issue I raise with the Minister for Education is the school's need for computer tables and associated chairs. The school's parents and citizens association does not have the funds to pay for this furniture. The P & C association recently expended over \$65 000 to build the school's performing arts annexe. The minister would be aware that this valuable capital improvement will be owned by the Crown and the State of Western Australia through the Education Department and it seems unfair for the department to now expect the school's parents and citizens association to scrimp and save again and raise funds for these tables and chairs. The P & C association acknowledges that the funds advanced to the school to enable it to acquire computers cannot be used to acquire associated furniture such as tables and chairs. However, surely in all the circumstances the minister could look upon this school as an exceptional case bearing in mind that it has built this fantastic performing arts annexe on site.

The school has also a need for a third additional temporary classroom to house its language other than English and music classes. I ask the minister to consider allowing another additional temporary classroom on site for these classes.

An issue related to that of the school enrolment is the need for an additional toilet block as the numbers balloon - these issues go hand-in-hand.

Another issue is the need to divide the school's security system into three separate and distinct zones. At present, if the parents and citizens association wishes to hold a meeting after hours, the security system for the whole of the school must be turned off. It makes more sense to "zonise" the school into three areas. That way, when one area is being used, the other security zones will be activated and will assist in detecting break-ins, etc.

The last issue I raise is the need to put down lawn and reticulate a large tract of land in the vicinity of the pre-primary school. At the moment it is a sand pit and there is a need for grass to be planted and appropriately reticulated to give the children some grass to play on. I wonder whether the minister will address these issues and consider visiting the school with me in the near future, hopefully before the end of the current school year so he can witness first-hand the issues I have raised this morning.

MR BARNETT (Cottesloe - Minister for Education) [9.56 am]: I thank the member for Joondalup. He has written to me about these issues and quite properly raised them here within the Parliament. The member is right in his assessment of the school and I think he would agree that Beaumaris is an excellent school. That point needs to be made. It is an excellent school, well led, with quality teaching and providing good programs. However, the school population has grown and history

has shown that despite the view of the department in 1996 that the school's numbers would stabilise and fall, that has not been the case. In 1997, 517 students were enrolled at the school. That is primary school students, not pre-primary or kindergarten students. In 1998, there were 517 so it was stable for that short period. In 1999, there were 557 students and it is expected there will be 586 in 2000, 624 in 2001 and 674 in 2002. That is consistent with what the member for Joondalup, with some local knowledge, has demonstrated. The school's facilities are of a high standard. As the member said, the school will receive at least one more transportable classroom in 2000. A case has been put that the school may need additional rooms. I am prepared to visit the school and I look forward to doing so. I have been to many schools but I have not been to Beaumaris. Hopefully we can arrange that before the end of the year; early morning would probably be a good idea when the parking problems can be seen first-hand.

The department disposed of the Iluka site in 1996. I still question whether a second school would have been the best option at the end of the day. However, we now have a problem at Beaumaris which needs to be dealt with. Additional transportables will help but the department is also prepared to look at some issues to do with staffing and funding to help the school cope with the increased numbers. There are two other options and I do not know how the community would react to them. There is the possibility of a schools in houses project at Iluka which could cater for some of the younger age groups; that is, a pre-primary or years 1, 2 and 3 schools in houses project. That would at least relieve the pressure for the next two or three years. Another aspect is that to some extent in 2001 some pressure will go off the school because we will have the half cohort of kindergarten starters in that year. That will reduce the number from about 100 to 50 in the kindergarten age group. I do not say that is a solution, but in all of the schools facing pressures we will see relief automatically and across the board in 2001.

The best thing I can do is accept the member's invitation to visit the school with him hopefully before the end of the year. The most immediate issue is to ensure that sufficient transportables are on site for next year; one is due and it may be necessary to put two there.

A number of similar problems have arisen with car parking at schools and generally it has been possible to resolve them when a cost-sharing arrangement can be reached between local government and the Education Department.

In respect of the furnishings and the like, I was not aware that the parents and citizens association had spent so much money on the complex. It is absolutely outstanding to have made that contribution. I would like to see that and any problems that remain. I do not think I can add much more. I acknowledge the problem. It was anticipated that the school would not grow, but that has not been the case and it has continued to grow. It is facing some accommodation difficulties. However, it is an excellent school, and we will do what is necessary to make sure that the programs continue at a high standard.

The SPEAKER: Grievances noted.

PROCEDURE AND PRIVILEGES COMMITTEE

Report on Trial of Modernised Standing Orders

THE SPEAKER (Mr Strickland): I have for tabling a report from the Procedure and Privileges Committee entitled "Report on trial of new modernised standing orders". I move -

That the report do lie upon the Table.

May I first indicate to members a thank you for the cooperation that members have shown in filling in the survey. I can also indicate to them that the committee regards the trial as a great success. Members made very positive comments. The very least amount of support that we got for anything was 69 per cent. The vast majority of the report was supported way above that figure. Because of the strong support - we had 35 returns out of 57 members, which in itself is a good response - the committee has recommended that the trial become a permanent feature and that we adopt the trial standing orders.

We have made a few technical amendments. We have listened to people's comments. In the main we have stayed with what the trial envisaged, apart from technical amendments. We realise that some issues involving some of the standing orders are also policy issues which require a debate in this House and further consideration by the committee. Those issues include things such as the Estimates Committees, standing committees, pecuniary interests, disallowance, delegated legislation and time management. We believe that the comments made in this House before we conducted the trial indicated that there was a fair bit of room to move. The committee intends to produce a report which will be tabled when we return in March, which will address those issues. We believe that a lot of compromise is available to the committee and that we will be able to progress and resolve those matters.

We have a problem in that the trial standing orders expire on 31 December. If the House does not resolve to adopt the trial standing orders as the new, permanent standing orders, we will revert to the old ones, with all the problems that we were endeavouring to get around. The Leader of the House in a minute may want to interject and give an indication. He may want to consider the report fairly urgently. I ask him whether it is possible, before we rise next week, to have a motion which will allow the matter to be debated and a decision made by the House before we rise.

There are 17 recommendations. We essentially want to get the main frame of the modernised standing orders in place. Let me repeat, we also understand that there is a need for debate on a small section of those, and we will be producing a report which we believe will be able to progress the matter.

Mr Barnett: I hope that these trial standing orders become permanent and continue. I think that government and opposition members would like the opportunity to look at the report. I foreshadow that on Thursday morning we might well come back with a recommendation to make them permanent. There may be some finessing, but I am not aware of any particular point

of objection. I hope that the Government will come back with a proposal to establish three standing committees for the next term of the Government and deal with both of those issues on Thursday of next week.

The SPEAKER: I thank the Leader of the House for that interjection. It is fairly rare that I thank him for an interjection, and it is fairly rare that he interjects.

I express thanks to the committee members, and particularly the senior staff. The committee works extremely well. People are prepared to reflect on other people's views and reflect on whether they are currently in government or will be in opposition, so that the long-term wellbeing of the rules of this place are given proper consideration, otherwise progress on change will not happen. I thank all members. The report is tabled. Perhaps we can look forward to a debate on it next week.

MR KOBELKE (Nollamara) [10.06 am]: My very brief remarks on the report are made as a new member of the committee. I commend the work that has gone into this report, knowing that I cannot claim any credit for it as I have only recently joined the committee. The work that was done to develop the draft standing orders was substantial. The decision to examine standing orders that have been built up over decades, many of which are now superfluous and repetitious, and to replace them with new standing orders written in simpler English and make them more streamlined for easier management of the House was an excellent one. That has been largely achieved. The feedback from a large number of members indicated strong support for the draft standing orders.

I commend the members of the committee, the officers, the Clerk and the people who assisted the committee. They put a lot of work into developing the new standing orders and managing the process so that members had a maximum opportunity to put forward their views and to influence what might be the final result of the review of the standing orders. I suspect this report will have wide acceptance and, therefore, lead to the adoption of the new standing orders. As you have indicated, Mr Speaker, there are some matters on which there is no agreement. They will have to be dealt with next year. However, they should not hold up the adoption of the new standing orders which will bring the management of this House into line with what is required to manage a modern Parliament.

Question put and passed.

[See paper No 389.]

PUBLIC ACCOUNTS COMMITTEE

Report No. 42, Role of Government in an Online Environment

MR TRENORDEN (Avon) [10.09 am]: I move -

That the report do lie upon the Table.

Technological advances in telecommunications, multimedia and information technology are revolutionising the way in which businesses, Governments and the community communicate and interact with each other every day. This is the online environment with which the report is concerned.

The motivation for this report stemmed from the committee's concern about how the Western Australian Government was responding to the opportunities and benefits provided by advances in information technology and communications. The opportunities and benefits are already being exploited in many parts of Australia and overseas by Governments and businesses which provide information and services online. An online environment will improve equity of service delivery and access issues for all Western Australians.

The advent of electronic service delivery means that there is a convergence of information and services from state, federal and local government and the private sector. However, the committee found, particularly when it commenced its work in 1997, that the Government had been slow to progress getting services online. This is particularly evident when one considers that more than 1.2 million households were online in Australia in 1998. As we all know from media reports, that figure is rapidly increasing. Australia is the third highest per capita user of the Internet in the world. In effect, the community is moving ahead and going online, but government has not been keeping up. Having government services online does not mean access only via computer; it also involves access via telephones, touch screens and over-the-counter services. It is vital that the Government continue its recent campaign to ensure that getting services online is a priority.

The committee has found that having services online will enhance and extend the Government's ability to provide core services, such as health and education, to all Western Australians regardless of where they live. Electronic service delivery has the potential to bring benefit to metropolitan, rural and remote areas. Without electronic service delivery, many rural and remote communities will continue to be without core services such as effective education and health care.

The committee examined the delivery of online services in the public and private sectors in different parts of the world, and submissions were received from metropolitan and regionally-based groups throughout Western Australia. Formal evidence was received from a range of agencies, including the Office of Information and Communications. As a result of its investigations, the committee has concluded that the benefits of electronic services - particularly effective, efficient and equitable service delivery - are significant. However, they are not achievable without leadership and financial support.

The committee identified a number of benefits that will result from government services going online. First, services will be improved because electronic delivery will provide better quality and more flexibility and they will be able to reach more Western Australians in what is one of the largest and most remote States in the world. Second, efficiency gains can be made for government via e-commerce. The Government's consolidated fund sector spends in excess of \$8b a year and collects in excess of \$3b from revenue within the State. Indeed, the collection of revenue is one of the Government's single biggest

activities. Electronic payment of taxes, licences and charges has the potential to improve efficiencies greatly, not only for government but also for private enterprise and citizens.

Another important benefit is industry development and competitive industry. Putting government services online must go hand in hand with the development of a competitive communications and multimedia industry in Western Australia. One of the consistent themes in this report and in previous reports is that an industry policy is required to bring all this activity together. Having said that, if the State and the Government do not go online, Western Australian industry will suffer because it will be competing against industries in other States and countries that are conducting business online and reaching far more markets and many more people in an increasingly efficient manner. E-commerce will continue to grow and this report highlights the need for Western Australia to adapt to new business processes more urgently.

The State has two options in approaching this process: We can wait and follow - that is, watch what the rest of the world does and wait until a process goes by and follow that line - or we can be in the leading pack. The report strongly supports the second approach. We have no option because we are an isolated State that covers a vast area, with a small and well-educated population, a high level of export industry and a small domestic market for products and services. We are also close to large populations in Asia and we are in a similar time zone. Those points make it imperative for the State to be up front with this process. At the moment, we are in the middle, which is not a position from which we can gain. If we were to trail the field, we would not be spending money on hardware and software. However, I do not believe that is an option, nor do I believe many other members believe that. The only way Western Australia will benefit from government services going online is by being at the front.

The opportunities for Western Australia are boundless. Conversely, if we do not move with the leading pack, we will pay the price. Having government services online has the capacity to centralise or to decentralise services within the State. It is not the technology that dictates whether centralisation or decentralisation is the outcome; it is the managers. The leadership and the management of the State will decide on equity, and the debate will rage about how the State manages the process. This new mode provides the capacity to centralise further, but it provides equal capacity to decentralise. That is a decision for this place and the managers of the State. The committee believes that having government services online has the capacity to greatly improve economic equity and access to all Western Australians.

Towards the end of the committee's inquiry, the Government introduced a number of initiatives that should be acknowledged. One of those initiatives is the statewide telecommunications enhancement program, better known as STEP. The committee is pleased that the Government is looking for communications infrastructure solutions for the State by using the bargaining power of aggregated government demand. However, the committee will continue to monitor STEP and hopes that it will achieve more equitable and efficient delivery of government and non-government services to all Western Australians.

I commend my committee colleagues for taking on and completing such a complex task. The issue has wide ramifications for the effectiveness of government and equity opportunities for Western Australians. It has not been an easy inquiry. It is often said that a year in technology is about 12 weeks in reality. We have been shooting at a moving target. Providing government services online is evolving quickly as technology and management theories change. I commend the report to the House. I also thank the members of the committee for a dedicated effort in producing the report. As always, the people who feel the pressure the most are the research officers - Stephanie Dobro, Kirsten Robinson and Amanda Millsom-May, and senior research officer, Andrew Young. We have put these people under pressure, because as the situation changed and agencies and people within the State made announcements, the committee constantly asked them to re-evaluate the position and the information collected. It was a particularly difficult report to produce. On that note, I commend the report to the House.

MR GRAHAM (Pilbara) [10.19 am]: I join with the chairman of the committee in congratulating and thanking the staff. As the member for Avon said, the task has been a moving target and it was a difficult report to write.

I am particularly proud of this report. The world has changed and it continues to change in this field at a frightening pace. In 1983, the world's information sector represented only 4 per cent of domestic product. Last year that figure was 12 per cent. That is a 9 per cent increase in a growing market. Within Australia, that sector is growing 300 per cent faster than the national economy. I will put that into perspective. One small part of the information technology field is e-commerce, but people focus on it as though it were the entire field. It is not; it is a small part. Internationally, it is worth \$US10.7b. In 1999 it is worth \$US98.4b worldwide. It is estimated that, in 2001, e-commerce will be worth \$US381b. It is estimated that worldwide, in 2003, the e-commerce trade will be worth \$1 189b. No sector in any other industry in the world is even close to that growth; I do not mean that in terms of playing the percentage points, in terms of multiples. It is frightening to think that the industry in Australia has doubled in the time this inquiry has been conducted. I will give some estimates for new e-commerce on the Internet. In our region, China will spend \$3.8b per annum from 2003. Malaysia, which everybody says has hit the mark, will spend \$1.5b. Incidentally, Australia, will spend \$9.2b. Those figures come from George Riedel, the principal of McKinsey and Co, as a result of a comprehensive study, and were released at the regional summit I attended recently.

Although the world is rising to the challenge and change, Western Australia is not. It has dithered, procrastinated and blundered in this field in nearly every key issue. To me, the great irony is that this State has the most to gain from this technology. It will benefit from the application of this technology more than any other State in the nation. Currently, we are behind the pack, and not marginally. We are off the pace to the extent that we are not in the game. Victoria is the clear leader in the field in this nation. For all his faults, Jeff Kennett, along with Alan Stockdale, did a remarkable job in developing this industry in Victoria. They committed that State to being online by 2001, and it will meet that objective. That technology will be in place by 2001. Yesterday, I looked at the commitments made by Brumby, the former leader of

the Labor Party in that State. The incoming Labor Government has recognised the work done by Stockdale and Kennett, built on it and is taking it to the new dimension - Western Australia has not started.

I can give no clearer example than this: We compare ourselves with Queensland. Western Australia is similar in size, structure and organisation. In 1998-99, the information technology industry in Queensland was worth \$8b. That industry is roughly the same size as the iron ore industry and petroleum industry in Western Australia. We have staked our future on those industries; Queensland has staked its future on the IT industry. Last year the IT industry in Queensland grew by 60 per cent. Our two industries are facing declining world commodity prices for as long as anyone can project. We have staked our future on industries that must decline. They must reduce their numbers and must increase their output for fewer dollars. Queensland and Victoria have staked their futures on an industry that is growing at an exponential rate. It is a critical and crucial decision for Western Australia, and to date it has been blundered.

I will give some further examples in the case of education. The report spent some time referring to the application of this technology in education. We are off the mark. Ten years ago a telecollege was operating in my electorate between Tom Price, Paraburdoo, Karratha and technical and further education colleges in Perth. That has gone. In 10 years we have gone backwards. There is no serious commitment from the educational institutions in this State to get into video conferencing education. It is no good saying that \$100m has been allocated to put computers into schools. It is a step forward, but it is a piecemeal and patchwork approach to what is already a proved industry. Western Australia is simply not doing that. Some children in my electorate still go to school via shortwave radios - 1940s technology. In the United States of America, kids in comparable grades go to virtual classrooms via the Internet.

Mr Bloffwitch: So do kids in my electorate.

Mr GRAHAM: Good luck to them. They do not in mine.

Mr Bloffwitch: We cannot get on the Internet because all the kids are on it.

Mr GRAHAM: I will give one of the most scathing examples of this Government in terms of telehealth. It sought assistance from the Federal Government's regional telecommunications infrastructure fund, the money that resulted from the sale of Telstra. Western Australia received \$8m from the Federal Government for the introduction of telehealth. Not one dollar of that money has been spent on the introduction of telehealth. It has been in a loop between the Department of Commerce and Trade and the Health Department of Western Australia. It provides a good case study in our report on how a Government can get it wrong.

The argument was that we do not have the money to develop the infrastructure and, therefore, we need federal funds. The Federal Government gave us the money and told us to implement the program, and we have yet to do it. In the time we have procrastinated, since that \$8m has been in the loop, the Tasmanian Government has made an application from the same fund, has received the money, designed the system, put the system in place, signed the medical practitioners into the system and it is operating across Tasmania. Someone who is not fully informed would say that that is not a difficult task in a place the size of Tasmania. It is no more difficult to do that here than it is in Tasmania. The only thing that matters is the size of the satellite footprint. If this Government got organised today, it could click into its remote area specialist system of the Health Department in Tasmania and have it operating tomorrow. What is worse is that we have the money to do it. We have \$8m of federal funds sitting in the State, tied up in a blue between two government departments, and not one minister has intervened to pull them into line. A demarcation dispute between two government departments is depriving remote and rural Western Australia of the world's best telehealth practices. That is the only obstacle. The tiny State of Tasmania was given great credit at the regional summit and invited to make a presentation as a result of what it achieved in this area.

I will conclude on this note: This Government has been characterised in this field by big announcements, big blusters, poor funding and poor policy. The Government is confused and needs to get its act together. It needs to quickly appoint a minister who will be responsible for it. It needs to give that minister a budget and to get the differing ministerial views out of the way to allow the State of Western Australia to go forward and catch up with the industries of the future.

Question put and passed.

[See papers Nos 391A and 391B.]

PARLIAMENTARY SUPERANNUATION LEGISLATION AMENDMENT BILL 1999

Introduction and First Reading

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

Second Reading

MR COURT (Nedlands - Premier) [10.30 am]: I move -

That the Bill be now read a second time.

This Bill introduces a number of changes to the superannuation arrangements for state parliamentarians; namely, closing the existing scheme to future members of Parliament; allowing certain current members to withdraw from the existing scheme and transfer to the new arrangements; transferring responsibility for changes to the rules of the existing scheme to an independent statutory authority, the Salaries and Allowances Tribunal; and empowering this independent tribunal to determine the level of superannuation for future members of Parliament and for any current members who choose to withdraw from the existing scheme.

Closing the existing scheme to future members of Parliament fulfils a commitment the Government made to the public of Western Australia last year that it would introduce a Bill to close the scheme prior to the next general election. Closing the

scheme will also put an end to criticism about the scheme's level of benefits, and the accessibility of those benefits, which are not subject to the same preservation standards that apply to the general community.

Transferring responsibility to this independent tribunal for all matters relating to the level of benefits and scheme rules will also address any concerns that members of Parliament are able to determine their own superannuation benefits. This Bill removes the basis for any perception of a conflict of interest by members of Parliament in this regard.

The only constraints on the tribunal's powers will be that it may not reduce a member's accrued entitlements and that it must comply with any applicable commonwealth legislation. Further, the tribunal will not be able to alter the fundamental nature of the scheme from being a defined benefit, pension scheme.

The tribunal already has significant powers to change the level of benefits in the scheme. In addition to determining basic salary and higher office allowances, which are determinants of a member's final benefit, it also currently sets the minimum and maximum pension rates, the pension accrual rate, commutation factors and member contribution rates. The tribunal will retain these powers but will now also be responsible for considering any proposals for changes to the scheme rules that may be received from members or former members. For example, currently spouses of deceased members or former members who are entitled to a reversionary pension have the ability to commute up to 50 per cent of their pension entitlement to a lump sum. It has been suggested that they be allowed to commute up to 100 per cent of their pension entitlement to a lump sum and the tribunal will now have the power to make this change if it chooses.

Another example in which the tribunal's power will be expanded relates to death and disability benefits. In respect of death benefits, the current rules are that if a member dies in office without dependants, his or her estate is entitled to a payment equal to the member's contributions plus interest. This is clearly inequitable when compared with the benefit payable to a surviving spouse of a deceased member and the tribunal will be able to address this matter.

In respect of disability benefits, the current rules are that members with fewer than seven years' service who retire due to illness or a disability are entitled to a lump sum benefit equal to twice their contributions plus interest. However, for members with seven years' service or more who retire due to the same condition, the benefit payable is their accrued pension entitlement. The difference in the amount of these two benefits is significant and the tribunal will be able to determine for members a standard disability benefit that is not related to their length of service. It is important to note that the current level of benefits and existing scheme rules will continue to apply until otherwise determined by the tribunal.

Other changes contained in the Bill provide the capacity for the tribunal to introduce preservation standards in the existing scheme and to determine redundancy benefits for members when they cease to hold office. The fact that members can access their superannuation benefits immediately on ceasing to hold office, rather than having to wait until they reach the normal preservation age of at least 55 years, is a point of difference between the rules applicable to parliamentarians and those applicable to the general community. However, many current members have made financial commitments and business decisions on the basis that they can receive their benefits when they cease to hold office. Restricting access to superannuation benefits would result in financial hardship for some of these members who cease to hold office prior to the normal preservation age.

This Bill addresses this potential for hardship by making it a condition that if the tribunal decides to impose preservation standards in the existing scheme, it must at the same time determine a redundancy benefit for affected members. Redundancy benefits are a feature of the remuneration of parliamentarians in the United Kingdom. These are not superannuation benefits but payments to assist former members in making the transition from holding public office to re-establishing a private career. The tribunal will have the discretion to make any redundancy benefits payable only to certain classes of members, for example, those under a specified age on retirement from Parliament, or to determine that these benefits should reduce on a sliding scale depending on a member's age at retirement.

The Bill also amends the existing provisions dealing with minimum benefits to ensure that the existing scheme complies with the requirements of the Commonwealth's superannuation guarantee legislation.

Closing the existing scheme to future members of Parliament will require the introduction of new superannuation arrangements for such members and for any current members who choose to withdraw from the existing scheme. Only those current members who were elected at or following the 1996 general election will be eligible to withdraw from the existing scheme.

This Bill makes the tribunal responsible for determining the amount of contributions payable by the State in respect of members under these new arrangements and ensures that these contributions are fully funded through a permanent appropriation from the consolidated fund.

The responsible minister will determine the appropriate administrative framework to support this new arrangement including to what scheme or schemes the contributions may be paid.

In conclusion, the Bill honours a commitment the Government made to the people of Western Australia regarding closure of the existing parliamentary superannuation scheme. Importantly, the Bill resolves potential conflict of interest issues by transferring the responsibility for making changes to the existing scheme from Parliament to the Salaries and Allowances Tribunal. I commend the Bill to the House and, for the information of members, table an explanatory memorandum for the Bill.

[See paper No 392.]

Debate adjourned, on motion by Mr McGowan.

FISH RESOURCES MANAGEMENT AMENDMENT BILL 1999

Introduction and First Reading

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

Second Reading

MR HOUSE (Stirling - Minister for Fisheries) [10.38 am]: I move -

That the Bill be now read a second time.

The Bill amends the Fish Resources Management Act 1994 to provide for a new type of licence, to be called a fishing tour operator licence, to be created by regulation. The commercial activity which the licence will regulate is the provision of fee for service recreational fishing tours, whether they are conducted on board a charter boat or through another form of guided fishing service.

The management of commercially-based fishing tour activities is clearly envisaged in the objects of the Fish Resources Management Act. However, regulatory powers in the Act that relate to this function require some refinement in order to properly meet the developing management needs of this growth industry. The need for these amendments was highlighted in the findings from a consultative review into the development of management for this important industry by the fishing tour operators working group.

The working group's final report clearly demonstrated that the fishing tour industry is a vitally important and rapidly evolving sector of our growing aquatic eco-tourism and recreational fishing industries. Between 1990 and 1996 the number of fishing charter operators in Western Australia grew from an estimated 40 boats to over 130. A recent call by Fisheries WA for expressions of interest in fishing tour licences attracted over 450 registrations. The working group recognised that there is potential for fishing tour operators to increase the recreational exploitation of fish, particularly near major population centres and in sensitive marine areas, and this in turn may impact on the quality of the recreational experience for tourists, especially in areas where the tourism is largely dependent on pristine, uncrowded environments.

A major challenge for the Western Australian community is to ensure the sustainability of these resources in the face of growing pressure from population growth and tourism, and to ensure that the industries based on these resources are managed in a fashion which will optimise long-term benefits to the community. With the additional information that will be provided through the log books and other surveys, Fisheries WA will continue to monitor the overall impact of fishing on key recreational fish stocks and implement appropriate management arrangements for broad regions and particular areas to ensure exploitation is sustainable and that the quality of recreational fishing is maintained. The charter industry has recognised that regulation is necessary to not only enable management of the sector's impact on fish resources, but also encourage and facilitate the development of a professional and responsible industry with high standards of customer service and safety.

The implementation of this management strategy is an important milestone in WA's comprehensive fisheries and aquatic resource management program and will establish a firm foundation for dealing with the conservation challenges posed by population and tourism growth. The essence of the amendment is to ensure that there are sufficient powers for regulations to be made for the licensing and management of all commercial operators of fishing tours. I commend the Bill to the House and, for the information of members, table an explanatory memorandum for the Bill.

[See paper No 393.]

Debate adjourned, on motion by Mr McGowan.

RIGHTS IN WATER AND IRRIGATION AMENDMENT BILL 1999

Second Reading

Resumed from 17 November.

DR EDWARDS (Maylands) [10.43 am]: When I concluded my remarks last night I was talking about compensation and some of the concerns that had been expressed to the Opposition about compensation available under this Bill. I have been given a copy of a paper that looks at water rights, sustainability and compensation and it contains a number of notes. The last dot point states -

What is not clear yet is how the trading provisions will work where a person or a group of persons will benefit from an environmental allocation of water or existing in-stream or *in-situ* flows . . .

The examples given are when water is already flowing, benefitting the environment, but someone benefits from some sort of tourism, fishery or environmental enterprise. The document states-

This raises the question of whether the Commission should licence *in-situ* flows where these are of private as distinct from public environmental benefit.

Should the commission be looking in more detail at situations where someone is gaining privately from a flow? It is suggested in the document that in situ flows should be additional to the basic environmental allocation, determined as necessary for public and aquatic reasons. One would not want trade in this type of private environmental use but it raises an interesting dimension. I would be interested in any discussion the minister may have had with the commission or any thoughts the commission may have about that point.

I will now talk about dams. I know something about dams as I grew up in a farming area where there was no scheme water supply so when there was a drought we would use the dam for our domestic water supply. I grew up showering in dam water and it is not something I want to experience again. Obviously when one decides that the last of the rainwater has to be saved for drinking, the dam is pretty low as well.

Dr Hames: It is good for you - it gives a good earthy smell.

Dr EDWARDS: I cannot say I have ever had that sort of nice glow.

Mr Osborne: I used to get dead sheep in mine.

Dr EDWARDS: That is right. Usually by that time the dam may well have a dead sheep in it. One hopes it does not.

When the Bill was being discussed in rural areas initially there was concern about dams. In Victoria in the middle of the year an event occurred that highlighted that concern. In July, on the *7.30 Report* and *A Current Affair*, it was reported that Mr Julian Kaye had to pay \$30 000 to get approval to operate a 45 000 cubic metre dam that he had built to service grapes. People here immediately started jumping up and down saying, "Good God, if we build a small dam what will we have to pay?" The situation in Victoria and in the catchment area where Mr Kaye lives is different from the Western Australian situation. Mr Kaye lives in western Victoria and his property is in the catchment of the Wimmera River which is a heritage river and has high conservation values. On top of that, a Commonwealth and State project is trying to pipe 50m cubic metres per year into that catchment. Water is short in that catchment and it is already over-allocated. The measures taken have resulted in a cost of \$640 per 1 000 cubic metres of dam capacity, and that is where Mr Kaye's charge is derived. Mr Kaye wanted to take water that otherwise would be going to the Wimmera River.

Fortunately in Western Australia over-allocation is not the problem that it is in Victoria. We have a system under the Bill where the local resources committees will have much more of a say in managing these situations and, I hope, in preventing a situation similar to that which arose in Victoria. Farmers in Western Australia can be reassured that that is not what is intended here. People will still be able to build their dams where they need to, and in areas that are proclaimed where there are problems, the issue will be dealt with sensitively, bearing in mind that in areas where problems already exist, we need to protect the environmental allocation and the allocation of other users in the area.

I want to refer to two case studies given to me by the Water and Rivers Commission. The first involves farmers along a length of stream who use the water. Under current laws upstream farmers can build banks and irrigation dams on their land to collect the runoff water that feeds the stream. Effectively that is taking away water which would otherwise flow downstream and benefit the farmers downstream. Under the new laws the local water resources committee can look at the situation, examine the needs of all farmers using water from that stream and work out some rules about the ways people can collect water. Before the draft rules become law everyone would be consulted and allowed to have their say. I would hope that an equitable situation can come from that. Certainly in my tours of catchments I have seen circumstances where a catchment group will form and get an NHT grant to do work in a certain area. I have seen at least one situation directly where the farmers in the group divided the money unevenly between them because some were better off and more able to pay for work than others. They worked out fairly between themselves as to who got what in order to help the whole catchment. Similarly, if people are given the information and knowledge and asked to work it through, it is a much better system than trying to impose something from upon high. I am pleased that the Bill will enable local people to have their say, but the commission will still have the overarching principles guiding what happens.

I will refer to a couple of other issues. One of the areas on which the Water and Rivers Commission will be doing more work is the transition and how the transition will be managed when an unlicensed area becomes licensed. Obviously, the aim would be to preserve reasonable use for everyone in that area. I understand that the Water and Rivers Commission or the minister will be engaging a consultant soon to determine how this process can be managed. I would be interested to hear more about any terms of reference or the consultant's brief to look at that process.

The second issue deals with the local committees. In a letter which the minister sent to the Western Australian Water Users Coalition some time ago, he said that the Water and Rivers Commission was preparing a set of principles for committees and committee members and that the principles would be compatible with the objective of this Bill. Again, I would be interested to know what will be in those principles and how far work has progressed in drawing up those principles. In October a workshop to look at this whole issue was held in Bunbury. I understand that the workshop was convened by the Pastoralists and Graziers Association. I have a copy of a media statement which was released at the end of that workshop. A number of key areas were identified at the workshop, including extended tenure terms for licences to encourage investment, recognition of existing water use in areas being newly licensed and sharing any necessary cuts in water allocation across all stakeholders. I have had a number of briefings from the Water and Rivers Commission on this Bill as it has progressed over the past few years, and I believe the commission is sensitive to these issues. However, the media statement says that the Director of Policy and Planning from the Water and Rivers Commission undertook to prepare papers on key issues for wider discussion. I would be interested to know whether, since 20 October, work has been undertaken to progress those papers and what key issues the commission will be looking at to prepare papers for wider discussion.

As I said at the outset, the Opposition will be supporting this Bill. However, when it goes into the consideration in detail stage, we will be seeking discussion on some points about which we have concerns. We are also somewhat concerned about being asked to deal with the Bill when there are still some outstanding issues, although, hopefully, the minister will go some way towards addressing those issues when he responds. The outstanding issues are, firstly, to do with the appeals and the fact that a review of the appeals system has been commissioned. However, that report will not be available until the end of the year and will not be out for public discussion until 2000. In some ways we would prefer to be dealing with legislation

in which we know exactly what might be the new appeals system. Secondly, we feel we do not have the final answer on the capital gains tax parts of this issue. I would be interested in the minister's response to that. Thirdly, I gather that the consultant who will look at the transition from unlicensed areas to licensed areas probably has not been appointed. There are three major areas in which work is either still going on or on which we do not have answers; yet, we are being asked to pass this Bill through this House before we have those answers. On top of that, the minister has also said that the Water and Rivers Commission Act will be reviewed during the next two years and that during this process, consideration would be given to rewriting the entire Rights in Water and Irrigation Act. Will anything in this current Bill be rewritten as well? There is always the problem of having more reviews, and whether, when one introduces the legislation, it will be passed. It would be concerning if anything with which we are dealing now were reviewed in any major, unwarranted way.

In conclusion, we support this Bill, but we believe there is still a bit of unfinished business. We want some answers from the minister to be truly satisfied that this Bill should be going through the House right now.

MR GRILL (Eyre) [10.54 am]: As our spokesperson on this area has indicated, the Opposition supports this legislation with some qualifications, which she will elucidate at a later stage. By and large, we support the legislation and the reform. We understand that there has not been significant reform in this area of water rights since about 1914. It is probably appropriate that we have a modern and up-to-date piece of legislation. The briefing notes that were given to us in relation to the legislation contain a hint that the legislation may have been forced upon us by the Council of Australian Governments. I do not know whether that is the case, but that implication can be drawn from these notes. In those circumstances, I, as a bit of a states'-righter, often wonder whether the ongoing process of federation, which commenced in the 1890s and which has been going on ever since, sometimes goes a bit too far and whether some of the legislation which we are forced to adopt on occasions is altogether appropriate for Western Australia. The notes at which I have looked indicate that the legislation is appropriate for this State. However, it has been my experience in other arenas that some of the requests and demands made upon us by Canberra are sometimes not entirely appropriate.

In Western Australia today, most of the water resource is vested in the Crown and in the people of the State. The only derogation from that, of which I am aware, is the Miriuwung-Gajerrong case. Justice Lee held that resources - he did not define "resources" - belong to the owners of the land in this native title situation. I understand that that case is the subject of an appeal to the High Court. Clarification on that issue - that is, in relation to water, minerals and a range of other natural resources - may not be clear for some time to come. However, the line that can be drawn from the Miriuwung-Gajerrong case is that in the case of native title land, those water resources may belong to the native title holders of the land. If that is true, it certainly contradicts the information given to us by the Government. The notes in the Government's information sheets which were presented to us state that native title has very little impact on this legislation and vice versa. I do not know whether that statement can be made with the certainty and the clarity with which it has been made in those briefing notes. I say that by way of an aside; it is not absolutely germane to this legislation. It was covered in the briefing notes that were given out by the Water Corporation and it may be something with which the State must grapple in a more concerted fashion as time goes on.

I note that a new regime will be in place in Western Australia as a result of this legislation, and that, in the future, the regime will rely more upon local by-laws than on licensing. I ask the minister whether that is a correct summation.

Dr Hames: Can you clarify what you have said?

Mr GRILL: The management tools for the management of water allocations in the future may rely more on local by-laws than on the licensing system.

Dr Hames: No. The licensing system will stay intact in the current structure for areas in which the allocation of water is an issue in terms of volumes. The local committees will manage distribution of water from, say, streams where there is some conflict between water users as to the take-off of water. Those things will work hand in hand.

Mr GRILL: The information sheets given to us by the Water and Rivers Commission mention local by-laws. Those local by-laws connote that some legislative or regulatory backing will be given to some of the edicts that are issued by the Water and Rivers Commission or agencies that act under its aegis. Are those notes correct in referring to local by-laws?

Dr Hames: We will need to go into that matter in consideration in detail, because the explanation is quite complex.

Mr GRILL: That was not clear when I read the notes, so some elucidation of that point would be worthwhile. The legislation provides for additional controls and greater flexibility in the tools to manage drainage. I welcome that, because the greatest environmental problem in this State at this time is salinity, and there has been a note of desperation in the air from a range of commentators and experts with regard to our prospects of managing that problem. Not very long ago, a well-known scientist from the Commonwealth Scientific and Industrial Research Organisation indicated that not only were we not making much impression on the problem of salinity in this State but also we were going backwards, because the methods that have been put in place to combat salinity are not effective. More effective control of drainage is not the total answer to the problem of salinity, but it is one of the tools that can be used to control salinity in certain circumstances. One of the examples given in the briefing note was that where drainage from a particular block of land was a source of salt, that drainage could be curtailed by edict from the Water and Rivers Commission or a local committee. If those powers were spelt out clearly and properly and were used effectively, that would be a step in the right direction.

The legislation will also facilitate trading in water allocations. That notion appears to make a lot of sense on the surface, but how it will work in practice is, of course, another matter, and no doubt as time goes by that process will be refined. The legislation will also give the Water and Rivers Commission responsibility to address the environmental aspects of the harvesting of water and to ensure that over-pumping or over-taking of water does not damage the environment. I have no

argument with that, but I do not see how the Water and Rivers Commission can have total responsibility for that area on its own, because the Environmental Protection Authority and other agencies must also have a big say on that matter. How those responsibilities will be shared will be an interesting point and is perhaps a matter on which the minister can touch when he responds to this debate.

I, like the member for Kalgoorlie, represent the goldfields, and I have lived in the goldfields for the greater proportion of my life. The history of the development of gold and other minerals in that area is intimately associated with the availability and supply of water and with the cost and economics of obtaining that water. Many people forget that for a considerable time in the history of Western Australia, the greater part of the Western Australian population lived in the goldfields. The real genesis of this State was in Kalgoorlie in the gold rushes and the mineral activity that followed those gold rushes, which gave this State its population, its wealth and most of its important buildings and residential development. Perth and Fremantle were built as a result of the gold rush, and residential areas like Peppermint Grove were also built with money that came out of the goldfields. In Victoria, places like Melbourne, Bendigo and Ballarat were built in the gold rushes of the 1850s to 1880s.

We often forget the problem of the availability of water which had to be overcome in that arid area of the goldfields at the inception of that goldmining activity. In studying Western Australian history, we have often been regaled with celebrated, or not so celebrated, instances of prospectors and miners who have perished as a result of lack of water. In the early days, mining in parts of the eastern goldfields was carried out on a seasonal basis, where miners and prospectors went into certain areas during winter when there was some water around but retreated from those areas during the hot months of summer when water was not available. The famous retreat from Siberia in which many people perished is well known in the annals of our history.

We have also been told various stories about the cost of water in the early days of the goldfields. In many instances, water was a more valuable commodity than the gold itself and was used sparingly indeed, and some of the stories about the charges for water border on usury. We have all seen pictures of the huge water condensers that were put in place in Coolgardie, Kalgoorlie and some of the other large mining areas before the Mundaring-Kalgoorlie pipeline came through. They must have been among the largest water condensers in the world. They used salt water, which is reasonably abundant in the eastern goldfields area, and wood as a source of fuel. The harvesting of wood as fuel for those condensers had a huge environmental impact on the eastern goldfields. Wood was harvested not just for those condensers but also for a range of other reasons, including the timbering of underground mines, but a huge amount of wood was used in the early days to fire the boilers, which were a major part of those condensers, and huge tracts of trees were cut, almost on a clear-felling basis, to feed those monster condensers in those early days. All of that changed when the Mundaring-Kalgoorlie pipeline was put in place, and we have all heard and read about the herculean task which was embarked upon by O'Connor and the Government of the day at the turn of the century to ensure that the eastern goldfields was served with a permanent and reliable source of water. The Mundaring-Kalgoorlie pipeline from Mundaring Weir was at the time of its construction the greatest engineering feat upon which the world had embarked. It was a herculean task. It had heroes and villains. O'Connor ultimately has been recognised as one of the great heroes of Western Australian engineering and technology.

The effort made by the people of this State in going into hock to build that pipeline must be recognised in a proper way. This effort is being recognised by the National Trust, the Water Corporation and other elements of government in the golden pipeline project. The initial Mundaring-Kalgoorlie pipeline was the largest engineering feat undertaken in the world at that time, and the golden pipelines project involves the renovation and restoration of much of the original work on the pipeline, the pumping stations and the ancillary facilities put in place by O'Connor and his team of workers. This is to be recognised in what I understand to be the largest and most ambitious heritage project in Western Australia's history. The golden pipeline project will commemorate not only the original pipeline, but also the wheatbelt pipeline and the water schemes taking water to farmers and towns from Mundaring to Kalgoorlie. This ambitious heritage project - possibly the largest in Australia - is an initiative of the National Trust. The Golden Pipeline Council has been established to oversee its operation. The Minister for Water Resources is well aware of the council as he has addressed it on one or two occasions and -

Dr Hames: We are providing funding, too.

Mr GRILL: I was about to say that the minister has been generous in ensuring that the Water Corporation has provided foundation funding for the project. I acknowledge those involved in the project. The council is headed by Mr Harry Perkins, a well-known Western Australian who is Chairman of Wesfarmers Limited, as members would be aware. A number of parliamentarians are on the council, including Hon Bruce Donaldson and my colleague Hon Kim Chance from the upper House; and our colleague the member for Swan Hills and me from this Chamber. The council also comprises Mr Ken Kelsall, Order of Australia; Mr Roy Little, formerly from the Merredin Shire Council; Dr John Reid, a well-known Western Australian; Mrs Ruth Reid, the wife of the former Governor; Mr Michael Keegan; and Mr Don Newman.

This very ambitious project has received some foundation funding and is under way. The ultimate cost will be \$10m - possibly more. The more one investigates the project, the more one realises how big it is and the importance of some of the ancillary features. Some of the associated features are, for example, Hunt's tracks and wells. The surveyor Hunt went into areas from Northam into the eastern goldfields beyond Kalgoorlie. He surveyed a track into the area, and dug and established wells which formed the basis of the road or track that was followed by the prospectors, miners and pastoralists. Associated with the pipeline in a symbiotic relationship was the original railway line, which was used to drop off the pipes for the Mundaring-Kalgoorlie pipeline. In many instances, the pipes were rolled straight off the railway into the ditch. The original pipeline, unlike the one seen today, was underground. The pipeline was raised above ground as a result of leaks and for maintenance reasons. The railway line ran alongside the pipeline ditch for much of its length. Therefore, a symbiotic relationship existed between Hunt's track, the railway line and the pipeline.

Things have changed a lot in the goldfields since the pipeline was established. The pipeline, of which we are very proud, has served us particularly well. The inception of the nickel industry in Western Australia in the late 1960s and early 1970s, and its expansion into laterite ores in the last four or five years, along with the rejuvenation of the goldmining industry in the late 1970s until the present time, has dramatically increased the demand for water in the eastern goldfields. Whereas, originally, the demand for water for processing purposes in the mining industry was supplied from the Mundaring-Kalgoorlie pipeline, the vast bulk of water in recent years has been supplied from the eastern goldfields itself. Water is still piped from Mundaring for mining activity. Nevertheless, the bulk of the water used in these industries is salt water. Some of this is super saline water, most of which is fossil water from old underground river beds. That source of water is being depleted. It is nowhere near depleted at this stage, but it is being pumped at a massive rate; that is, a far greater rate than that at which water can be supplied by the Mundaring-Kalgoorlie pipeline. Undoubtedly, the pumping of that water in some areas has had an effect on the watertable. Fresh water in many instances is perched on top of the salt water; therefore, when the salt water level falls, so does the fresh water level and the watertable. It is not at a critical stage currently, although evidence suggests that the pumping of fossil water in the eastern goldfields is having an effect on the environment which will increase over time.

The water demand has burgeoned, especially with the advent of these lateritic ore mining facilities. The lateritic operations are not only mining facilities or primary treatment facilities. In the three instances in the eastern goldfields, the whole gamut of mining and processing activity is undertaken at the minesite producing high-grade nickel. It is taken through all the mining processing and refined through the electrolytic process. The same applies with the cobalt run from these deposits. All that activity demands massive quantities of water. The amount of water taken by Anaconda Nickel Ltd for its Murrin Murrin operation is very large by any standards. This water could not be supplied from the Mundaring or Canning Weirs even if we had a pipeline big enough to transport it that distance.

Therefore, in the eastern goldfields we need new sources of water, not immediately, but in the near future. People in the eastern goldfields have been innovative, as they always have been. The people in Murrin Murrin, for instance, have been able to find fresh water where no-one thought there was fresh water previously. They have found, especially in the tributaries of ancient river beds which can no longer be seen as surface features but exist as geological features, that there is good, almost potable water at the bottom of these river beds. Once again, that is fossil water and it is being pumped at massive rates. People fear, although there have been reassurances to the contrary, that ultimately it will have an effect on the watertable and the environment. For that reason, there has been a focusing of late in the eastern goldfields on the possibility of another pipeline into the area. The current pipeline from Mundaring to Kalgoorlie transports water at about 30 megalitres a day. The proposal for a new pipeline into the eastern goldfields and the northern goldfields - I draw that distinction - is for a pipeline that would pump water at the rate of about 200 ML a day; in other words, at five or six times the rate at which water is currently being pumped from the Mundaring weir via the Mundaring-Kalgoorlie pipeline. It would be a massive undertaking but there is huge interest in it. If one were a betting person, one would probably put money on the probability of it coming off because there is such a demand currently for water in the eastern goldfields that those levels of water will be required, and the only way it can be supplied is by a pipeline. Initially, it was thought that the water, possibly salt water, would come from Esperance. It was later thought that it would probably be fresh water. The most up-to-date thinking is that it may well be fresh water from the Geraldton area. I do not want to encourage people to bring water to the eastern goldfields from the Geraldton area when we could supply it from Esperance, which is at least a shorter distance to Kalgoorlie.

However, critical factors apply to the supply of fresh water to the goldfields - quite frankly we want fresh water not salt water - and the major factor is the cost of fuel to desalinate the water. The cost of gas at Geraldton - fortunately or unfortunately depending on one's perspective - will be lower than the cost of gas at Kalgoorlie or in the northern goldfields. Therefore, the current prospects are that the eastern and northern goldfields will be supplied with massive amounts of fresh water in an undertaking which will dwarf the original CY O'Connor pipeline, by a pipeline from Geraldton which will be serviced by desalinisation in the Geraldton area, or possibly from the Esperance area if fuel sources there can be opened up. The fuel source in the Esperance area is not gas. It is a coal deposit somewhere around Salmon Gums with a fair amount of oil - that is, petroleum - in that deposit, which is another source of low-cost energy that has not yet been developed, unlike the gas coming down from the North West Shelf. However, one way or another, there is little doubt that a new wide-diameter pipeline from the coast will come into the goldfields shortly which will be a massive undertaking that we all will be proud of as time goes by.

Water has been one of the governing factors in the development of Western Australia in the past. I believe, because of new technology and the ever-reducing costs of energy, that water in 20 or 30 years will not be a problem in this State. The member for Kimberley wanted to facilitate a pipeline from the Kimberley. Already the cost of desalinating water in the south of the State makes such an undertaking unnecessary. As time goes by, the cost of desalinating water and pumping it long distances, as I foreshadowed, will become an everyday event.

MS ANWYL (Kalgoorlie) [11.24 am]: It is always a risk following the member for Eyre on an issue relating to the goldfields as it is sometimes a question of who stands up first. I concur with much of what has been said by the member for Eyre. Therefore, my remarks will be reasonably brief.

Dr Hames: Me too, because of his remarks.

Ms ANWYL: In the change to this legislation, I will comment on the right to water issues and the allocation of planning as they relate to my electorate of Kalgoorlie and the city of Kalgoorlie-Boulder; especially, as mentioned by the member for Eyre, the need for appropriate water resources for the planning of long-term infrastructure, not only in the city of Kalgoorlie-Boulder but also to assist resource development in the wider goldfields area.

Water, like the provision of adequate energy, is of critical importance at all levels of regional development. The supply of water for household and recreational use is of particular importance to the ordinary citizens of Kalgoorlie-Boulder. We might be able to improve many of the ordinary, everyday amenities of life if a cheaper and larger water volume were available. However, that is a difficulty, when providing greening areas, particularly grassed areas. I will give the example of Hannans Primary School. Hannans is an area of the north west sector proposed for development by the Department of Land Administration. The Minister for Planning mentioned this morning a two-stage development of some 400 lots in that area. A few years ago when the existing suburb of Hannans was developed, only one grassed area, in the Hannans Primary School, existed. The cost of providing water to reticulate the oval in the Hannans Primary School was so great, around \$100 000 a year, that the school administration and the parents and citizens association made a number of representations to the Education Department to assist in the watering of the oval. I know that sounds a phenomenal amount but that is my recollection of it. The Education Department had to find those funds. However, it was a source of concern because in the suburb of Hannans with about 400 or 500 households, about 100 different sporting groups, clubs and a variety of junior sporting teams actually used the oval because it was the only available grassed area. That illustrates the importance of the availability of water when providing adequate recreation space. A reassignment of sporting fields is occurring in the area because of the development of the Oasis facility with attached new sporting fields. Some of the major users of sporting facilities have moved there, including junior tee-ball and the touch rugby association. I believe that the touch rugby association is one of the most important sports, as far as membership is concerned, to have moved to that area. That, in turn, has led to a debate about the need to upgrade cricket pitches and the like. As I said, there is a state of flux currently in that area. However, I have no doubt that at the end of the day the demand for recreational grass spaces will increase.

Another matter that came up in relation to the Hannans north west development is the need for a grassed golf course. Only one thing has prevented us from having a grassed golf course in Kalgoorlie-Boulder, and that is the cost of water. There are three well-patronised golf clubs that all have very active memberships and committees. For a long time the Department of Land Administration has been going to buy out the Hannans Golf Club which would allow for a significant injection of funds towards water infrastructure and so on.

Some of the people to whom I speak are so passionate about their golf that one of the reasons they propose to leave the area is the lack of a grassed golf course. Although I am not a golf player - I regret that is not a sport I have taken up; I would like to play at some time down the track - other people are passionate about golf. A grassed golf course in a town the size of Kalgoorlie-Boulder is long overdue, especially in the light of the phenomenal amount of wealth the area provides to the coffers of the Western Australian Government.

Another example that brings home the point is the situation with the Boulder Speedway Association, of which I am the patron, situated some kilometres to the north of Kalgoorlie-Boulder, along the main Leonora Highway. Until recently it cost about \$1 000 a race meeting to spray water onto the track to make it safe. I am very pleased to say that with the cooperation of Kalgoorlie Consolidated Gold Mines Pty Ltd and the Water Corporation, a new arrangement has been reached and the per kilolitre cost of that water will be reduced from about \$3 to about 40¢. That is a significant change that will enable the speedway to operate much more effectively. Of course, it is a non-profit organisation; nonetheless, as the cost of water will be much more reasonable, the speedway will be able to operate with a certain amount of comfort in the knowledge that it will not lose money when the turnout is low.

Mr Bradshaw: It is a very interesting speech, but I am not sure how it relates to the Bill.

Ms ANWYL: Has the member for Murray-Wellington read the Bill in its entirety?

Mr Bradshaw: I have gone through it, although not verbatim.

Ms ANWYL: The Bill provides for rights to water and its allocation and planning.

Dr Hames: Your speech does not have much relevance, but it is interesting.

Ms ANWYL: That was a typical comment from a member whose electorate obviously does not have difficulties with water.

Mr Bradshaw: We do.

Ms ANWYL: I look forward to the member's contribution. If the member applied some cognitive processes to my words, he would appreciate that I am referring to the lack of quality of life experienced by people in my electorate due to the unavailability of water. He does not even have the courtesy to listen to my response to his interjection.

I refer also to the commercial and industrial uses of water. Once again, a major impediment to regional development is the lack of affordable water in the goldfields. The legislation will provide for the administration of ground water and define a process for competing uses for ground water. The member for Eyre outlined the long history of debate on the alternative water supplies. He referred to the scheme whereby water might be transported from the Ord River area to the rest of southern Australia. He also referred to the unlikelihood of its proceeding due to the very expensive infrastructure it would require. It is claimed that the eventual cost to users would be prohibitive.

I was interested to note, in the context of that debate, that finally a rail line will be built from Darwin to Alice Springs. The cost of that infrastructure will be enormous and I think it is unlikely that it will be recovered quickly. However, the Prime Minister said that it is now perhaps okay to borrow funds for the purpose of developing infrastructure. We are seeing a reappraisal of the value of infrastructure and what it can provide to rural and remote regional areas.

I think the minister has been briefed on the Goldfields Utilities Ltd proposal.

Dr Hames: I will comment on it, even though it is not in the Bill!

Ms ANWYL: I look forward to that. I understand that the State Government has expressed some support for a proposal to pump desalinated water probably from Esperance to the goldfields. The important aspect of that is job creation and the provision for expansion of mineral projects in the north eastern goldfields. From a briefing I had, I understand that the vision for that scheme is to include irrigation for the purposes of agriculture or certainly the growing of gum trees in the north eastern goldfields. That would be a fantastic project from not only the perspective of job creation, particularly Aboriginal employment - the minister dealing with this Bill also has the Aboriginal Affairs portfolio - but also the huge environmental gains that can be made by wholesale planting of trees in arid areas.

That is the subject of a cottage industry in the goldfields not only in the sense that some specialist timbers are being harvested and value added, but also because a centre for arid land science is there. International scientists with some international investment are working on ways to ensure that trees can be grown and other forms of agriculture can be promoted despite very little water being available. If a supply of water were available for that whole region, the potential would be phenomenal.

Only a few weeks ago I attended a conference in Laverton at which many Aboriginal communities were represented from the more remote central desert area. Although the conference was largely about domestic violence, it was interesting how many times community leaders from the remote areas referred to the need for water supplies to be addressed. As we go into the next millennium, Governments of whichever complexion must be more holistic in examining these across-government issues. The provision of water and job opportunities and a change of environment for some of these remote communities must be remembered.

Generally speaking, the mining industry is reliant on a combination of water piped from the Mundaring Weir and a considerable amount of hypersaline ground water. In the north eastern goldfields the water is not so hypersaline, but still tends to be saline. When I was in Laverton, I spoke to a number of mining interests about their concerns. Major expansions have occurred in that region with the three laterite nickel mines and their processing arms coming on stream. Concerns have been raised by some mining interests and Aboriginal people about how finite the ground water resource is. Closer to my electorate of Kalgoorlie, studies have been done on the palaeochannels in that region, and in some cases a limit of about 20 years was put by hydrologists and the like. I see the minister agrees with that assessment.

Dr Hames: As the member knows, we recently released a study on the northern goldfields palaeochannels. We mapped out all the resources there, and we have made that available on the Internet so that mining companies can study where the areas of water availability are.

Ms ANWYL: It is important that that ongoing analysis occur, because I do not want to see - and I am sure the minister does not - a situation in which resources are ready to be developed but we do not have the water to mine and process them.

The issue of how ground water use is regulated is complex. Obviously, different interests will want to tap the same source. It would be of great concern should disputes develop between different mining tenement owners about whether the use of one tenement owner is impacting upon another because of the large levels of harvesting that are occurring. It would be interesting to know how such a dispute would be arbitrated. One of the best aspects of this legislation is that the Government is refining that process. However, I would be obliged if the minister would make some remarks about that matter when he replies.

The Goldfields Utilities Ltd proposal is exciting. I know that the minister has made some comments within the past couple of months about a proposal for desalination of water to occur via Perth or Geraldton. Perhaps he will repeat those comments when he replies. I have received a number of approaches from people in my electorate who were concerned that such a proposal might work against Goldfields Utilities Ltd. I see the minister shaking his head. My understanding is that that is not the intent.

Dr Hames: They jumped the gun and did not read the full report.

Ms ANWYL: Yes. I would like the minister to address that issue as well. It is an area which will warrant a great deal of attention. The Goldfields Utilities proposal is a private initiative and will be privately owned, notwithstanding that the pipeline will go over a public easement, being the railway line. If the Water Corporation has plans to develop a desalinated water system, exactly where in this legislative scheme would that proposal fit?

MR BRADSHAW (Murray-Wellington - Parliamentary Secretary) [11.43 am]: This Bill is important to my electorate, which has large volumes of water and irrigation systems and so on. As I pointed out when the member for Kalgoorlie was speaking, although she thinks we have plenty of water and no problems in that area, there are water problems in the electorate of Murray-Wellington.

In the time I have been in Parliament, this is the third attempt to change water regulation in Western Australia. I think this is the first Bill out of the three that have come before this House that has been acceptable. My impression is that it is a good Bill which is heading in the right direction. The first Bill was brought in by Arthur Tonkin - I forget his electorate - who was at that time the Minister for Water Resources. That Bill was totally unacceptable and was withdrawn. It was not even taken to a vote at the second reading stage because it was unacceptable. The Government at the time realised that and withdrew the Bill. When the current member for Kimberley was the Minister for Water Resources, he tried to introduce a Bill which also failed. Now we have an acceptable Bill which I believe will go through, because proper consultation with the community has taken place. It is acceptable in the sense that it is not changing people's rights and it does not go over the top. Some commonsense issues and ways to solve future problems have been brought to the fore.

The water resources of Western Australia have been well managed over the years. I recently visited the Murray-Darling

basin with a number of colleagues. We saw the major problem that they experience there; that is, an over-allocation of water rights to farmers in that area. The various government agencies now have the problem of trying to claw back those over-allocations. Fortunately, not all the farmers are using their allocations; otherwise, there would be major problems. In addition, salinity problems are experienced in that area.

Whenever one talks about changes to water regulations, a matter of concern is riparian rights. People whose properties are alongside a river have those rights. They have the right to pull out water for domestic use, gardens and stock. At times, consideration has been given to taking away those rights. This Bill does not do that. Those riparian rights remain, and it is important that they do. At certain times of the year, the water level in rivers, streams and creeks drops off. There are problems if the fellow at the top of the river decides to grab all the water and it does not flow to other users further downstream. This Bill will put in place water resources committees, which will allow local committees to have input into how the water should be used in a particular area. It is important that these water resources committees be set up, because as more development takes place and more people come to live in various areas, the demands on the water resources will be greater and problems will increase. If a structure is put in place to try to overcome those difficulties down the track, that is a better approach than trying to address the problems after they have arisen. At times problems have arisen. If somebody suddenly puts in a dam in a river or a creek, in the summertime the people at the bottom of the river or creek do not get any water because it is all trickling into the dam upstream. It is important that those committees be in place. They will not be bureaucratic committees. They will have input from local people and whichever water body is in existence at the time.

At Cookernup in my electorate, a mining company has been extracting large volumes of water for the processing of mineral sands. The community of Cookernup, which relies on ground water and rainwater for its water supply - there is not a reticulated water scheme - blames this mining company for the lack of water in its bores. From time to time controls must be put in place to ensure that there is balance so that people are not disadvantaged or affected in such a way. It is probably debatable whether the mining company has caused the problem or whether there has just been a natural decrease in water in that area. However, when a mining company comes into an area and starts extracting huge volumes of water, I guess it is reasonable to assume that that is causing the problem.

I am also concerned about transferable water rights. The eastern States have those rights. When we were in the eastern States and talked to the farmers there, I asked some of them what they thought about transferable water rights. They were in favour of them. I guess the reason is that they have an allocation of water, and if they want to sell their water rights, they will go to the highest bidder, regardless of whether it is industry or an agricultural person. I guess anyone with those rights would want to sell them to the highest bidder. The problem I have with that is that the south west irrigation system should retain a water allocation for agriculture. It is all well and good for the farmers who have the water rights to want to sell them to the highest bidder. However, as a State, we should be making sure that we have adequate water to provide for the production of food for not only Western Australia, but also perhaps the world.

However, there are changes in the irrigation system. Like all things, there is much better efficiency, because of the cost of water - the price of water started rising some years ago. In the old days when water was relatively cheap, farmers just watered the pastures and it did not matter whether it was watered for a few hours longer than was needed or whether the ground was uneven and did not get watered properly. Over the years, farmers have been laser levelling their farms. Other farmers who go into the horticultural industry have put in drip irrigation systems. All of this has reduced the amount of water being used in the irrigation system. Because of the efficiency, less water is required in the south west irrigation area. As time goes on, that will probably increase. Perhaps the allocation of water that has been put aside for the south west irrigation system could be reduced in the future, so that water could be hived off to the metropolitan area for people's drinking water and be better used. That is being done with some of the water which is currently charging out to the ocean near where the new Harvey Dam is being built. If industry needs it, perhaps it could be hived off to industry. I would certainly like to ensure that an allocation of water is there in perpetuity, to make sure that agricultural pursuits can be followed in that irrigation area.

With regard to the way in which water is allocated these days, it has become much more scientific and is looked at in a more environmental and practical sense. When the Harvey Dam was first proposed, the Water and Rivers Commission produced a plan for water allocation from that dam, of which an amount would go to the environment, the irrigators and Perth, as well as an amount for recreation. Proper planning would make sure that everyone in the swim got some of that water and that the environment was not forgotten. There is a much more sane approach to it now. Over the years, water resources have been managed very well in Western Australia compared with the management in other parts of Australia. I know some people from the community further south have problems with the Bill. I am not sure that they are correct. I will be supporting this Bill.

MS MacTIERNAN (Armadale) [11.52 am]: When I look at the history of my electorate, it surprises me to learn that Governor Stirling could sail up the Canning River in the early 1830s to discover and found for white settlers the area of Kelmscott. He certainly would have a lot of difficulty rowing up or negotiating the Canning River as far as Kelmscott today. Unfortunately, that once proud river is now very much a stream. Even after the winter rains, one would have great difficulty navigating it in a long boat. In summer, much of its length in the upper reaches virtually disappears. This is relevant to the Bill we are debating today because one of the issues at which we are looking is the ongoing existence of riparian rights on the Canning and Wungong catchment. I have concerns with the amount of water we are taking out of this water catchment. The biggest change that occurred was the damming of the Canning and Wungong rivers to provide a water supply to the metropolitan area. That area has needed to be supplemented over the summer period by releases from both dams. Unfortunately, probably due to a combination of an increasing population, increasing draws from the dams and a diminishing water fall, we rarely get an overflow from those dams in winter; therefore, the watercourses are not flushing out. This has resulted in a severe silting of the watercourses which further inhibits the flow in the summer months. That situation got

worse with the development of the Araluen Country Club, which involved diverting the spring that was a major feeder into the Canning River towards watering a golf course. It is estimated that in the last spring, that spring supplied over 300 000 litres of water a day. Much of that has now been diverted for the purposes of watering the golf course and the lawns of the Araluen Country Club estate. There is probably not a lot we can do about that at this stage.

There are some issues which we can address. There are approximately 70 riparian right users and 142 licensed users along the Canning, Wungong and Southern rivers catchment area. Today I will talk about those riparian right users who obviously got their rights in the days when we did not have a scheme. These are not commercial users. The commercial users are all licensed and are covered separately by a raft of provisions in this legislation and by subsequent local by-laws that will be put in place. These riparian right users are domestic users. By and large, they also have access to scheme water. When they were given these riparian rights - that is, rights to draw water from the river without charge - there was no alternative water supply for them. Now, most of those people are on scheme water. The concern that has been raised with me by the catchment group, and which a number of people in the area have, is that some of the 70 users - certainly not all of them because many of them are very responsible - are not using those rights in a responsible fashion. They are certainly not using those rights in accordance with best practice. They have big sprinkler systems which they will often turn on during the heat of the day when there is a massive loss of water to evaporation. In respect of the licensed users - the commercial users - part of the terms of their licences is that they must implement best practice in their use of the water. No such requirement is being imposed upon these non-commercial users of riparian rights. They simply can do as they want. Not only is this wasteful, but also it creates particular resentment among other members of the community nearby who are on scheme water.

When water restrictions are put in place in the summer months and people are not allowed to use sprinklers between the hours of 9.00 am and 6.00 pm - perfectly reasonable restrictions - those restrictions do not apply to people with riparian rights, who can run their sprinklers at full bore during the day while their neighbours who are on scheme water cannot do that. What makes this particularly galling is that this waste of water by these people, who do not pay anything for the water that they use, must be accommodated by releasing more water from the scheme to supplement the water in the rivers to allow these riparian rights users to continue their practices, which may be very unsound. That is not a defensible state of affairs. Some restrictions need to be placed on these riparian rights users, and I ask the minister to seriously consider amending these provision so that these riparian rights users, who also have access to scheme water, are subject to the same water restrictions as scheme water users. That will not affect their riparian rights in the sense that they still will not pay anything for the water that they take, but they will be restricted from behaving in an irresponsible fashion with regard to their use of water. We are not talking about commercial users. We are talking about domestic users who have no requirement to adopt anything that approximates best practice in the installation of their bores and watering systems, nor to conform to the restrictions that are placed on other scheme water users. I would be most grateful if the minister would take that into account and give us some advice in his response about whether he would be prepared to consider amendments along those lines.

MR BROWN (Bassendean) [12.02 pm]: I wish to raise a concern that growers in Carnarvon have raised with me about the Rights in Water and Irrigation Amendment Bill. There are two types of growers in Carnarvon: The growers of vegetable crops, who seed a crop and need water in order for it to germinate and grow, and who then harvest that crop and plant another crop; and the growers of vines or trees, who need water, whether it is a good season or a bad season, to maintain those vines or trees and who cannot simply turn off that water supply because their vines or trees would die and it might take many years to re-establish those crops. The growers in Carnarvon draw their water from the river, and in a good season when the river is running they draw a lot of water from the river and little from the mains scheme. However, in a bad season they draw a lot of water from the mains scheme. A concern has been raised with me that under this legislation - and I do not profess to have a good knowledge of the way it will work - it is proposed to give people a water allocation and to let them sell their rights to that water. There are proposals in Carnarvon to further extend the areas under horticulture and to move into the planting of vines and various other things -

Dr Hames: That is already the case.

Mr BROWN: Yes. Those people need a consistent supply of water for their vines or trees to survive. The growers on the river draw little water from the mains scheme in a good season and, therefore, their quota may be set at a comparatively low rate. However, in a dry season, they need to draw a lot more water to keep their vines or trees alive, and they are concerned that this legislation may restrict them from drawing that water unless they can buy from other people some rights to water, and in a dry season that may be difficult because presumably those growers will need to use their quota.

Dr Hames: Those farmers have the right to access the river now, and they also have the right to access water via the Water Corporation. However, the difference is that it is at a much higher cost. In a dry season, the quotas can be reduced for those people, and it will be done on an equal basis; for example, a grower of vines will have his supply of water reduced by the same proportion as other growers and will have the same access to water via the Water Corporation as other growers. We are setting up a committee of local growers which we hope will take over the management of that water supply and establish an internal management scheme, the same as we have done with the south west irrigation district and the Preston Valley.

Mr BROWN: I understand from my colleague the member for Maylands that that is what is proposed, and that appears to be the right way to manage this type of thing. However, as the minister knows, while the growers share a number of concerns and in some instances are collaborators because they work with each other in providing the product, in other instances they are competitors, and the growers of vines or trees are concerned that they cannot afford to have their water supply reduced because that will threaten their livelihood -

Dr Hames: This will give them another option. Previously they had two options: Use their own water from the river, or use the Water Corporation supply. Horticulturists will now have the option of selling some of their basic allocation to an

adjoining farmer who wishes to purchase it, or of trading their allocation among themselves, so their options are being expanded, not reduced.

Mr BROWN: Is the minister saying that it may be a question of cost, but it will not be a matter of people being denied access to water?

Dr Hames: That is correct.

MR KOBELKE (Nollamara) [12.09 pm]: The Rights in Water and Irrigation Amendment Bill is perhaps one of the most important pieces of legislation to come before the Assembly this year. The importance of this legislation is due to the fact that for the maintenance of areas of habitation and industry in Western Australia we need to have a guaranteed supply of water, but that water is often a scarce resource. The importance of water is not only economic but also relates to the quality of life. This Bill deals primarily with the economic importance of water. Water has a value which will be judged by the different commercial enterprises. There is also a cost in providing the water. The interplay between those two factors will be affected by the licensing arrangements and the ability to sell people the right to have water. The cost implications are huge. We are well aware of Western Australia's huge salinity problem.

I will not take up time debating that but I remind members of the amount of money that is associated with the cost of the salinity problem. Billions of dollars are lost in forgone production and the devaluation of land and assets. The value placed on water is comparable. The legislative framework provided by the Bill means that the cost of water will be taken more fully into account in many areas. That makes the Bill important. When the legislative framework is put into place and the value of water is recognised through competition for the scarce resource, the cost of any later change involving the players and the State Government may run into billions of dollars. It is fundamental legislation which has implications for our whole way of life in Western Australia and huge cost implications for future government. The legislation allows for water licences to be traded. The water that can be traded will be in excess of the water that must be put aside for the protection of the environment. How the amount of water required for the environment is assessed is crucial. I am not confident any Government will always get it right. Although the Water Corporation is not the authority that will be making that decision, there are plenty of examples in the past of its drawing down too heavily on ground water in different parts of Perth, resulting in the death of huge areas of flora and bushland. There are big areas on the edge of the Gnamptarra plantation in which the dead banksias can still be seen and there is an area adjacent to Whiteman Park where all the banksias are dead because the Water Corporation drew down too heavily on the water five to seven years ago. In that instance, the Water Corporation got it wrong, and it changed its regime to ensure it would not draw too heavily on the water in future. There is always the potential to misjudge how much water should be left in the ecosystem so there is not a deleterious effect on the environment. If there is high demand for the water and licensing is in place, the allocations to the various users must be rearranged when the misjudgment is discovered.

Dr Hames: That is why the Bill allows for the Water and Rivers Commission to reduce the general allocation and increase the environmental allocation. There are also opportunities for compensation to be paid. The Water and Rivers Commission will pay compensation if it is its fault. However, if it occurs through nature and lack of rain the growers must wear that reduction.

Mr KOBELKE: I thank the Minister for Water Resources. His interjection does two things: Firstly, it reiterates my point that if things change drastically or if government agencies get it wrong, there are huge cost implications for government. Secondly, we must look at the value that is placed on water rights and how the process of determining the value is managed. Clearly there are benefits from the process of enabling people to trade those water rights. I will not emphasise the positive side of that process as the minister has already commented on that considerably. Moving to this scheme is not entirely positive. Any new scheme which seeks to address a set of problems and find a better way to deal with them usually opens up some negative management aspects. I am concerned that trading in those water rights could set up a secondary industry in which people do not have a primary interest in using the water but seek to gain some commercial or financial advantage over those water rights. In the past people have bought large tracts of land and held on to that land knowing it would appreciate and they could get a windfall gain by selling that land at a higher price in the future. Similarly, we can envisage people trying to obtain water rights in areas for which there is not a large demand but for which industry and horticulture will need that water in the future. These people will not have a genuine need for the water but will be hoping to gain a windfall profit because they managed to get the rights to the water. Those sorts of problems will arise. The system will be put in place to improve what exists but we will need to manage a different set of problems.

The control of water rights is also potentially dangerous. Anti-competitive practices could occur if someone wanted to have a negative effect on a competitor. There could be powers in the water rights governing adjoining users whereby someone purchased a licence to adversely affect a particular user. Those matters will need to be dealt with through the application of the law and the appeals process. I will not comment on the appeals process other than to say that it is an important part of the whole system. We must know exactly how it will be structured and set up and we must continue to review it to ensure it is addressing problems that arise where there is conflict over the use of licences and the trading of water rights. There have been instances of people having no recourse. One particular conflict was in the papers many years ago. People who owned land on the Moore River found that a distant neighbour had changed the course of the river and they had lost their riparian rights. They tried to take court action to have the matter settled and their right restored, but were unable to because of the legal problem and a lack of finances. The value of their property fell substantially because they lost their right to water through somebody else's actions, which appear to have been improper. Yet they still could not get the matter sorted out. There were stories in the papers for some time regarding that issue. I know the aggrieved parties and they feel they had no access to justice. The appeals process will deal with a whole range of problems of that nature. Hopefully it will be an effective appeals system that enables matters to be sorted out efficiently at a minimum cost.

The area of capital gains tax is also important. People will have a right that improves their assets and is, to an extent, tradeable. Although it is only right and proper that capital gains tax should come into play, I am concerned about the cost implications for a genuine user of that water, such as a horticultural venture or another business. The value of that asset could increase due to factors with no relationship to that venture, such as increased activity in the area or a reduction of the actual supply of water that is available.

There will also be benefits, as has been pointed out in some of the papers from the minister. If people must relocate or sell their properties, they pick up the capital gains benefit and, therefore, they pay a tax on it. That is right and proper. However, I fear that in some instances people may find that because a capital gains tax is involved, it will be very much to their detriment. That is beyond the control of the State because it is covered by federal legislation. We will have to see how it works out. On the whole, I see it as positive but it adds an extra degree of complication.

I will raise two other matters briefly and I hope that the minister might respond to them now. Given that trading in water rights is to be introduced by this legislation, has there been a preliminary review of which areas are likely to have immediate trading in water rights? Has any estimation been made of those rights? Does the minister or his officers have any figures of the likely potential value of rights from the year 2000, for example?

Dr Hames: The value of rights will obviously depend on the source, what it is required for and who needs it for what. That valuation is, in effect, already there in the sense that the current values of land in those restrictive licensed areas are predicated on the value of the water to that land now. If someone has land with water, the price of that land is significantly different from that of land without water. That gives us an idea of what the value is now. People purchasing the water will only pay for what is economically beneficial for them. That will depend on the profitability of their product. For example, a horticulturalist might be able to pay an amount different from the amount a vineyard operator might pay, because his turnover is much quicker. It is not possible to give those values. They will vary enormously depending on location and what the water is required for.

Mr KOBELKE: The short of it is that the minister is saying no preliminary estimates whatsoever are available as to what might be the value of water rights in particular areas.

Dr Hames: We could get those figures without a problem, but we have not done so because it is really not very relevant for us to do so.

Mr KOBELKE: There are two points I want to make arising out of that. First, some companies or groups of owners immediately on the introduction of this legislation will be in receipt of windfall gains. They will be in areas where there is clearly a shortage of water and where they have an allocation of a substantial amount of water. Regardless of whether they are currently fully utilising that, they will know it is a tradeable commodity. The minister is suggesting that in some areas that is already built into the price of the land. I do not accept that is necessarily the case in every area. In some instances people have rights to water, but they are using far less than their allocated rights. That may be because of a shift in the markets they were seeking to supply or because they gained that allocation of water some years ago and they have changed their whole business operation. For a whole range of reasons owners of the right to a substantial volume of water may no longer have the need for the water, so they are now in a situation where, if they find a growing need for that water in their area, they can trade the value of that water. Some will have windfall profits with the introduction of this legislation.

Dr Hames: What you are saying is true, but it is not so much people getting windfall profits as people getting profits from an asset they already own. At present I have the power to take water away from people who are not using it and give it to somebody else. I have recently done that in the Wanneroo region and been very unhappy in doing it.

Mr KOBELKE: Was any compensation paid in that case?

Dr Hames: There is no power to pay compensation under the current legislation. I can take water away from people who are not using it and significantly reduce the value of their land, and give the water to people who will use it and significantly increase the value of their land. This applies only in licensed areas and not in areas where people are using it without a licence. If people have the asset now and the right to the water, they will be able to gain the benefit of the water they currently have and sell it for a profit to somebody who wants to buy it or lease it from them.

Mr KOBELKE: I thank the minister for the interjection because he has given a very good example as to why we should open up this issue. He has an underlying philosophical decision here; that is, who should benefit from that water which is clearly the property of the State and, in an overall sense, still remains the property of the State and the people of Western Australia but now, through these proceedings, will flow in greater part to individuals? As the minister said, under the current system in a licensed area where there is a demand for water and a restricted amount of it, a person who is underutilising his water can have it taken away from him and allocated to another user, with no compensation paid. Looking briefly at both sides of that equation, there is a detriment to the person who loses that right. If the person does not have a use for the water and cannot convince the minister that in the near future he will have a need for that water so that the minister leaves it with him, his detriment may be that the value of the property has fallen because he has now restricted access to that water or no right to it.

On the other side of that case, someone who wanted to make use of land could not develop its potential without the water. By transferring the right to the water, the land could be more fully utilised, and the economic benefit would flow not only to the individual owner of the land but also to the wider community. There is a positive community benefit under the current system of the minister's being able to look at the community good and to transfer the right to the water from someone who is not using it to someone who can make good use of it. Under the new scheme that may still happen but there is now a cost consideration for the potential user who cannot develop his commercial opportunity without the water. It now becomes a

commercial matter between the owner of the right to the water and the person who needs the right to the water to be able to pursue a commercial opportunity on his land.

In many cases the cost of starting up that new enterprise may be prohibitive because the owner of the water right may set too high a price on the water that he wishes to hang on to as part of the value of his land. If he judges that he can squeeze more money out of the new proponent who needs the water, the whole enterprise may not start up. On that basis the community would be worse off. We would have allowed market prices to sort out what should happen. In most cases that would be good and proper, but instances will occur where the community could be quite definitely worse off with fewer jobs and less economic activity because people's views of their narrow rights and benefits are such that they will hang on to their right to water or ask such a high price for it that the market is simply not willing to pay. That is a downside to what, on the whole, would be a step forward.

The last matter related to that, given the minister's earlier answer, I suspect we cannot take much further. What are the likely amounts of compensation for which the State might become liable under these new proposals? I realise that is a very wide-ranging question because of the complexities involved and the inability to make estimates of what might be a whole range of market decisions. Has any preliminary figuring been done on what might be the potential liability of the State to pay compensation as a result of the whole range of measures covered in this Bill?

Dr Hames: It has not been estimated but it is not likely to be a very big component because it will require an error on the part of the Water and Rivers Commission which is ultra-conservative in its water allocations in order to make sure there are sufficient environmental flows and that issues of compensation do not occur. However much the commission has to pay will be based on the value of those trading rights, whatever the market value becomes or whatever the reduction in the amount of allocation that it requires. I certainly do not see that as being a significant amount but, as you say, for every upside there is a potential downside, and that is one of them.

Mr KOBELKE: I thank the minister.

This is a very important piece of legislation and the Labor Party supports its general thrust. However, I am concerned that if the reliance on the market is too dominant, the general community may not be well served. We may find water being used on a secondary level for commercial gain rather than on its primary level as a resource for economic production. We need the flow of water for a range of vibrant enterprises which create jobs and wealth and which use water for the benefit of the people and, therefore, for the benefit of Western Australia.

MR BRIDGE (Kimberley) [12.31 pm]: I have listened with considerable interest to the previous speaker highlighting his concerns about this legislation. I am keen to discuss a number of my concerns during the consideration in detail stage because they should be highlighted.

For the past two years, the New South Wales Government has been considering introducing amendments to that State's water legislation, and some very concerning aspects are already emerging. The legislation goes to the heart of property rights, to the core of water rights and to the security that is necessarily in place to ensure industry has some stability and foundation for its future. This change process is leading us into extremely dangerous areas with which Governments must come to grips. We must view the passage of the legislation in that context.

This is not a simple matter of States dealing with the need to change; it is a matter of how we respond to the Council of Australian Governments water reform proposals to which we have agreed. Those reforms are about the costs associated with water usage. They are not about the protection of the water users or social and environmental considerations, although they have been presented as being for the good of the environment. That is far from the truth. The minister should keep in mind that in passing this legislation we could eventually put off the land countless farmers and other water users.

The rules that are now being imposed on water users throughout Australia are very concerning. They are seen in other States as very regressive changes. A major campaign is being mounted in New South Wales to fight the legislation that is likely to be introduced in that State soon. I have already heard the chairman of the Water Corporation talking about introducing the same changes as those being considered in New South Wales and Queensland. It is warm, fuzzy and easy to talk about these changes in the context of protection, and there is no doubting that that is where we stand - as legislators we believe in that protection. However, the way the reforms have been implemented in the other States is a far cry from the process we see as appropriate or necessary. In other words, these amendments are very dangerous because they complement the very dangerous process that COAG and the national competition policy is inflicting on inland Australia in a range of ways, not only relating to water. The amendments to the legislation relating to water are the most significant part of the reform process. The chairman of the national competition policy committee has publicly said that one of the most vital tasks of the reform program, particularly in inland Australia, is to get the water reform program right. At the end of that process, the legislation will effectively destroy the productive capacity of thousands upon thousands of water users in New South Wales.

We cannot inflict this policy, using the environment and preservation of the river systems as the rationale, and at the same time impose the enormous burden that is being inflicted on water users in New South Wales. Some water users in the Murrumbidgee area are facing water rate increases of between \$60 000 and \$80 000. How can average family farms cope with that? They cannot. We must carefully watch the transfer and sale of water rights process. It is all right to say that we will make provision for that, but who will be able to buy the water rights? Only the multinationals will be able to do so; average people will not. It is all right for us to say that it is not as bad as that and for people to advise Governments that that response is over the top. The reality is that it is not over the top. Real examples of that are happening around Australia today.

We in Western Australia must be very careful and sensitive about where we are heading. We are in a good position because we are not as far down the track as the other States. They are caught up in an almighty brawl to survive. We are looking

to follow that process and we are being encouraged to adopt these reforms to water delivery because they are fashionable. However, there is a real sting in the tail: It will impact enormously upon the inland communities of this country. They will bear the brunt of these changes; they will have to deal with this issue and they will face financial difficulties.

These amendments are not about controlling water allocations; this is all about the mighty dollar. Australian States are currently dealing with a policy framework handed down by the angry group of people who initially established COAG. They said they intended to reform Australia and to bring in a range of measures that would take into account all the so-called equal playing fields. This process is really about the globalisation of the economy and all that rubbish, which is irrelevant in Australia - particularly in the bush. They said they would create a policy framework and insist that the State Governments abide by it. If the States did not toe the line, their annual funding allocations would be under threat.

As the minister thinks about the effectiveness of these reforms and contemplates their appropriateness, he should be conscious of a very cynical aspect. I emphasised that word because the minister must realise that is precisely the case. I will not go through any details now. I have echoed to the Parliament my concerns about the legislation. I hope everybody understands it for what it is worth. It is not about the environment, or care of the river system; far from it. It is about those who have a larger share of the dollar prevailing over those with a lesser share; that is, it applies to the multitude of people who are water users. They are more capable of being given a kick in the tail as a result of our using a gung-ho approach to introduce a change to the water legislation and to policies, and reforms. Aggressive as they may be, we are gung-ho about introducing them supposedly in the name of economic good management, of accountability, of better water management, of water efficiency and all those things. I reckon that is just a big joke. It is not the truth and not the intent of this legislation. Furthermore, it is not a basis upon which the ultimate impact will be established. There are far more dangerous implications from this legislation that we must bear in mind. I make this plea to the minister: Irrespective of how enthusiastically he may have been briefed by his officers on this matter, and it may have been with all good intentions - I will not reflect on their integrity nor their desire to do the right thing - he should be highly cautious, terribly concerned and very careful of what he is imposing on the water users of Western Australia.

DR HAMES (Yokine - Minister for Water Resources) [12.41 pm]: I am very pleased to respond to the contributions of all members in this debate. Initially my comments will be not so much on the legislation, but on some of the remarks on matters adjacent to it, particularly those about the future of water resources for Western Australia. The member for Eyre said that he believed future water in Western Australia would not be a problem. I must say that I concur very strongly with that view. The advances in the development of opportunities for water are progressing very well, particularly with regard to the issue of desalination and the significantly reducing costs of it as a possible means of supplementing not only metropolitan supplies, but also those in the inland areas. He referred, in particular, to Kalgoorlie.

By way of interjection, I promised the member for Kalgoorlie that I would comment on the provision of water for that town by an organisation by the name of Goldfields Utilities Limited, which is bringing a pipeline to Kalgoorlie. It is true that that company has been working hard in cooperation with the Government on this issue. There has been a degree of conflict because the Water Corporation and the local mining companies were looking at doing a feasibility study on that project. At the same time, the private company, GUL, was looking at bringing desalinated water from Esperance. Some discussions have occurred between us, and we have agreed to give it a bit of a free rein in developing its proposal for a short period without any government interference. I gather the latest is that it is looking at a feasibility study of bringing desalinated water from either Geraldton or Esperance to the Murrin Murrin project. Initially it will supply water to the Murrin Murrin mine, but with the potential to work with government for other opportunities.

The Government believes there is an essential need for increased water supplies for Kalgoorlie, and they will have to come through a pipeline, possibly from Esperance. Although we are spending significant amounts of money in the Water Corporation on upgrading the Mundaring pipeline, providing extra loops and pumping capacity and storage in Kalgoorlie, it will not address the long-term needs that the member for Kalgoorlie spoke of, particularly the high cost of water to provide for greening projects within that local community. Whatever the end result of who builds the pipeline and where the water comes from, I think it is inevitable that within, perhaps, the next five years, the pipeline will be in place. I think opportunities will also be created for providing water at a lower cost for use in programs for greening in Kalgoorlie.

The member for Eyre talked about the program for Salmon Gums. If it gets off the ground, it will be a very interesting project. Significantly, higher quantities of oil than expected were found there. It makes the proposal for having a major power plant in Salmon Gums a real possibility. If that can happen, it will change the cost of bringing desalinated water from Esperance significantly. We would bring sea water from Esperance to Salmon Gums, have the desalination plant on site where the source of power is, and the waste heat that goes with that source of power would significantly reduce the cost of desalination and make the whole project much more competitive.

Mr Bridge: I know the minister means well by putting up that scenario, but it is a crazy idea to bring that salt water into that significantly important inland area.

Dr HAMES: I am happy to talk to the member after the debate about that matter. It is different from those in the legislation. I merely mention it in passing. The answer is that the salt is required by the company producing the power on the same site. There are synergies in all those things that would work closely together. That is a different issue.

I now turn to answering the specific questions raised by Opposition members. I thank them for their support for the legislation and, particularly, the member for Maylands for her comments and her very good understanding of the legislation. She has saved me a lot of work in presenting the issues and explanations that went with them. I have listed six items that the member wanted answering. Initially I will answer four of them. The other two are more significant, and I will answer them when I deal with all the questions from the Coalition of Water Users.

As I said, initially I will deal with minor questions. First, the member talked about the terms of reference and the briefing consultancy for the transition phase of licensing. That is inevitable; it must occur. It must be put in place. As the member knows from the reforms of the Council of Australian Governments, we had to put this legislation in place. We are late in doing that. It was supposed to be in place by late 1998. We came to an agreement with COAG that, provided the first piece of legislation was introduced and passed in the second half of this year and the final piece of legislation is passed by the middle of next year, it would not affect the COAG payments. Those payments are significant. There was some feeling that COAG was not dinkum, that our payments would not be reduced if we were a bit slow in getting the legislation passed. The reality is that Queensland had \$20m cut from its COAG payments because it did not meet its water reform agenda. That is one reason we are progressing this legislation, although a few items need resolution in the longer term. My information is that the terms of reference and briefing consultancy will be finalised and made available within the next two weeks. Secondly, the member talked about the set of principles for local rules committees. The advice I have is that the majority of those principles are already available and have been the subject of detailed public consultation. As the member knows, we have consulted over this item for a long time, and that is why it has taken so long to reach this stage. As she said, we started in 1997. I released a draft Bill in January of this year and have taken all this year to allow for broad consultation to occur. Those details can be provided by the commission, and I will arrange for the member to get that information. There will be some finetuning into the future on those matters.

The third matter occurred on 20 October. A media statement was issued by the commission about four items relating to water. Work commenced on two background papers after the meeting. A position paper on how licensing should best be introduced into areas that are currently unlicensed is being prepared. This relates to the future licensing of areas. That will be supported by the consultancy to which the member referred. The commission has also commenced work on a paper dealing with the potential for increases in licensed tenure. That was a particular concern of the Water Corporation.

Debate adjourned until a later stage, pursuant to standing orders.

[Continued on page 3471.]

PERTH GLORY, JUNIOR PLAYERS

Statement by Member for Armadale

MS MacTIERNAN (Armadale) [12.50 pm]: I want to issue a plea to the management of Perth Glory to consider taking a more active role in the development of junior soccer in Western Australia by allowing and encouraging the showcasing of junior soccer talent at halftime at the Perth Glory home games. Perth Glory is clearly the shining light of WA soccer and it has given a huge boost to the popularity of the code. Unfortunately, the management has not seen its way clear to accept the overtures from the Junior Soccer Association to allow the kids to participate in the half-time entertainment at their games. The proposals put forward are not simply for a mini league, but are perhaps more entertaining alternatives like two on two, soccer tennis, ball juggling and heading displays.

I understand the Glory management has declined, citing security concerns. That is a puzzling response when one considers that this happens in National Soccer League games in other States, and even more puzzling when the Western Australian Football Commission, which has much larger crowds to manage at Eagles and Dockers games can provide an opportunity for young Aussie Rules players. Glory is doing a great job in promoting soccer but it needs to ensure that junior soccer thrives, as that will be its lifeblood.

I know that WA soccer politics makes the factional arrangements of the Labor and Liberal parties look like a Sunday school picnic, but it is time to put these to one side so the code can continue to attract and foster the talent of young players.

EASTERN HILLS SENIOR HIGH SCHOOL, WORK EXPERIENCE

Statement by Member for Swan Hills

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [12.52 pm]: I bring to the attention of the House and commend the Department of Land Administration and the students and staff of Eastern Hills Senior High School on a meaningful and innovative "E team" - enterprise team - work experience project which will assist students in their future working lives.

Recently five senior secondary students from Eastern Hills Senior High School spent a work experience week at the Midland DOLA office. Under a unique program called the E team these students used quality management principles to analyse work processes and to recommend ways to improve the services there. These five energetic students first attended a training day after which they used their knowledge to improve work processes which DOLA identified as needing improvement. The students had to learn to meet deadlines and were involved in practical problem solving. They produced a 24-page report which was presented to DOLA's acting chief executive and it was pleasing to note that 60 per cent of the students' recommendations have been implemented, resulting in improved work practices at DOLA.

This is an innovative idea. It allows children and students to have hands-on work experience. It is something that will help them in the future. I commend everyone involved in that program.

MIDLAND INN

Statement by Member for Midland

MRS ROBERTS (Midland) [12.53 pm]: I raise concerns about the burning down of the Midland Inn in the early hours of yesterday. It is of great concern to many people in Midland that it was placed on the heritage register only in September and now this piece of Midland heritage may be lost to us.

One of the difficulties is that appropriate heritage legislation has not been brought into this House to protect buildings such as the Midland Inn and to put significant penalties in place. Although we do not know the cause of the fire at this stage, it is a huge concern that we have lost so many heritage buildings in Midland to fire.

The new heritage legislation must include stronger penalties. It must also include provisions to ensure that heritage buildings are kept in good condition and are not allowed to fall into disrepair. It has been widely known around Midland for some time that this building has not been properly maintained, and vagrants have been using it. As a consequence, it has fallen into greater disrepair. This is of great concern and any new heritage Bill should address these matters.

AIRLINE FOOD

Statement by Member for Vasse

MR MASTERS (Vasse) [12.55 pm]: In August I had the opportunity to fly east on a Qantas flight and then travel to a couple of areas in New South Wales on regional airlines. I was disappointed that a significant amount of the packaged food and drinks and related items provided to travellers were purchased overseas; for example, the label on the drink container stated that Berri orange juice is made in Australia from Australian and imported fruit juices. A sweetener substitute, made by Douwe Egberts UHT Milk, is a product of New Zealand. Another artificial sweetener is made in Australia from local and imported ingredients. The Qantas in-flight snack is exclusively packed for Qantas Airways by an Australian company, but no mention was made of the source of the food. Similarly, the refresher towel and sugar had no labelling to indicate their source. However, I commend Brentwood orange juice, which is made from Australian oranges and is a produce of Australia. I strongly suggest that Qantas Airlines Ltd, which is identified as an Australian airline with the world's best safety record, should be pushed to the hilt to provide Australian produce. I was very disappointed to learn that Qantas especially, but also other places in Australia, rely so much at the tourism level on produce from other countries.

SOUTH WEST PRIMARY SCHOOLS

Statement by Member for Willagee

MR CARPENTER (Willagee) [12.56 pm]: I raise an issue which has been touched upon by another member; that is, overcrowding in schools. It was previously raised in the context of the Joondalup electorate, but I shall refer to schools in Busselton. People from Busselton who have contacted my office have been very concerned and distressed at the overcrowding in Vasse Primary School, West Busselton Primary School and Dunsborough Primary School. It is a major problem for the community. The situation has been described, both to me and in the media in Busselton, as desperate. There has been an influx of families into that area, which has radically outstripped the planning process to which the Education Department was adhering. There simply are not enough education resources in the town of Busselton. It is one of the fastest growing areas in Australia and the planning process has not been adequate. The Education Department used a 3.5 per cent growth projection, when the real figure was 6 per cent and growing.

In four years the number of students at West Busselton Primary School has risen by 29 per cent. No new schools have been planned for the next four years, and that will be a major disaster. All but two classes at West Busselton Primary School have more than 32 students. Most classes have 36 students, and there simply is not enough space. Something must be done. At Vasse Primary School some classes cannot fit enough chairs and desks into the classroom. That is a ridiculous situation for primary schoolchildren to be faced with. The Government should act immediately to set aside money to build a new school in that area.

SHEFFIELD SHIELD CRICKET

Statement by Member for Joondalup

MR BAKER (Joondalup) [12.58 pm]: I wish to bring to the attention of this House the recent and indecent decision of the Australian Cricket Board to prostitute the 107-year-old interstate cricket competition, known as the Sheffield Shield, in favour of the chequebook solicitation of this competition by corporate giant National Foods Ltd, trading as Pura Milk.

The old blue velvet and colonial silver trophy, made in 1892 through Lord Sheffield's £150 donation, is set to be replaced by a non-biodegradable and empty plastic milk carton to be known as the "Pura Milk Cup" or "carton".

It is now abundantly clear that kerb-crawling corporate sponsors are forever loitering in the vicinity of our nation's traditional sporting icons - all members have heard of the Vodaphone Wallabies - in the hope of soliciting new clients with big fat cheques. Because the Western Australian team is the current titleholder of the Sheffield Shield, it should be stored at the Western Australian Cricket Association ground and not with the ACB, for fear of its being flogged by the ACB to promote the sale of beer nuts, chewing gum or razor blades!

As former WA and Australian cricketer and living legend Dennis Lillee said yesterday, the Sheffield Shield is the history of state cricket, and future WA team captains can rightfully feel cheated when they are presented with an empty milk carton after winning the world's premier provincial cricket competition.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

QUESTIONS ON NOTICE, UNANSWERED

MR BROWN (Bassendean) [2.37 pm]: Under Standing Order No 80, I ask the Parliamentary Secretary to the Minister for Tourism when I may expect an answer to question 382, which was asked on 11 August 1999.

MR BRADSHAW (Murray-Wellington - Parliamentary Secretary) [2.38 pm]: I apologise to the member for Bassendean. Before the recent two-week recess I asked for these questions to be brought up to date. I have been remiss since we returned. I thought that the answer was included in all the questions that came through on Tuesday. I will follow it up again.

MR McGOWAN (Rockingham) [2.39 pm]: The Parliamentary Secretary to the Minister for Tourism has also not provided an answer to question on notice 494.

MR BRADSHAW (Murray-Wellington - Parliamentary Secretary) [2.40 pm]: I will follow it up and provide an answer as soon as I can.

RIGHTS IN WATER AND IRRIGATION AMENDMENT BILL 1999

Second Reading

Resumed from an earlier stage of the sitting.

DR HAMES (Yokine - Minister for Water Resources) [2.40 pm]: I was halfway through responding to the comments by members of the Opposition on the Rights in Water and Irrigation Amendment Bill. I was responding to a point made by the member for Maylands about a review of the legislation, and explaining why the Government has brought in this legislation if a review of water legislation was to occur, and how that review may affect this legislation. The review of the Water and Rivers Commission Act has been determined by an Act of Parliament and it was to happen five years after the breakup of the Water Authority into the Office of Water Regulation, the Water Corporation and the Water and Rivers Commission. That five-year period expires after January 2001. It is totally separate from the current Bill that we are debating today and will have no impact on the Rights in Water and Irrigation Amendment Bill. The review cannot be done before 2001 due to statutory requirement.

I intend to cover a number of issues that were raised by members of the Opposition and by the Coalition of Water Users and coalition members. Five items cover these general concerns. Concerns have been expressed by farmers that the Rights in Water and Irrigation Amendment Bill would affect the dams on their properties. It has been suggested that if the legislation is passed, other people would try to interfere with their private dams. That is not the case. The Bill only gives people rights in relation to streams and the effect of the downstream flow on other farmers. Dams on private properties outside those parameters are not considered.

Capital gains tax is a difficult area for us to have any certainty about. We have sought advice from taxation advisers in Western Australia and I have written to the Federal Minister and the Australian Taxation Office to try to get a ruling on what will happen with capital gains tax. We have not yet received a response, but I would like to make some general comments about capital gains tax. Other States were reluctant about our inquiries into the matter because, until now, the ATO had been ignoring values attributed to water. In some States, particularly NSW, trading in water rights has been going on for at least 10 years. The other States wanted us to keep quiet about a capital gains tax on this issue so that we did not alert the ATO to the possibility that further revenue could be gained if it considered this practice. The difficulty was that farmers in this State had a very strong interest in finding out whether capital gains tax would apply to these transactions. We have found that it will not apply to pre-1985 growers. That covers a large number of people who are likely to be trading. Nine areas that will trade are pre-1985 areas. Only two post-1985 areas will be affected by the capital gains tax ruling; one in the Wanneroo region and the other in the Cockburn region. In addition, others will be part of newly licensed areas. Capital gains tax applies to only the increase in value of the water asset above the consumer price index. Therefore, tax will only be paid on that proportion of the gain, if that is what is decided by the ATO. There is uncertainty about a person's access to water that was licensed pre-1985, but it was felt that the value of the water use was intrinsic to the value of the property. If such a property did not become licensed until after 1985, the value of the water associated with the property is uncertain for tax purposes. We say that the asset value that exists once the licence is created is the same value that was part of the property value before the licence was issued and therefore should not be subject to capital gains tax provided it was owned before 1985. That ruling is yet to be made by the ATO. However, I do not feel that issue should inhibit the progress of this legislation because, as we and the members who visited other States and discussed with growers the enormous value to their having tradeable water rights have seen, the issue of capital gains tax is seen to be only a minor component. Those property owners have to sell their asset in order for a decision on liability for capital gains tax can be made and they need to make profits significantly in excess of the consumer price index increase in their property value. Either way, the property owners will not have to pay tax because they still own the asset or they will have a significantly increasingly valuable asset that will be theirs to sell or lease if they so wish.

There were concerns about native title issues and we have been advised that there are no native title problems associated with the Bill. There were concerns about the loss of pre-existing rights. Pre-existing rights will continue and in many cases will be strengthened. I have discussed this issue in more detail with those who raised it. Questions of compensation have been raised on a number of occasions. One particular question raised by coalition members concerned three other aspects of compensation. Compensation is something new that will be introduced by this Bill. I think it is of great value to people who currently have water rights. The member for Nollamara raised the issue of compensation and asked who was to get the value, particularly with the transfer of rights and my previous power, as minister, to take water from people. It is right to suggest that people who do not use the water perhaps do not deserve it and those who gain it do. In the end, the community benefits from the increased production by those who consume more. Many of the cases I have dealt with concern someone who has been a horticulturist all his life, particularly in the Italian community in the northern suburbs, is semi-retired on his property and no longer needs the water but still has a significant value in the asset. I can come along with the heavy hand of government and take from that person, in effect, \$100 000 from the value of his property. Such people have retired on their properties, they do not want to move and yet I can take \$100 000 from them and find another business, perhaps very

successful, that wants to expand its operations, and give it, in effect, \$100 000. I have done that for the same reasons that the member for Nollamara raised, but I did not feel good about it. I do not think that it is the right thing to do given that the real beneficiary could be a large developer who owns lots of land, has a large income already from its production and yet I give him the equivalent of \$100 000 worth of extra water plus the increased income he makes from the increased production. It has its good and bad sides.

As the member said, there will always be good and bad sides. This will allow retired farmers, for example, whose children get into the horticultural industry in the future, to lease that water out for a year or two and make an income from it; or to sell the water to their children who move to a property nearby that does not have water so they will have a viable concern; or to retain the water. If this is not done, people who are not using the water productively will make up some excuse for an artificial use of the water which has no benefit for the community, but which will make sure that the minister cannot come along and take it from them.

I turn to appeals. Concerns were raised by the Coalition of Water Users about the rights of people who disagree with the compensation payment, and whether there is a right of appeal when a compensation matter has been determined and people do not agree with it, or when a local group decides against a particular grower in a matter. They do have a right of appeal, because the local management groups report through the Water and Rivers Commission to the minister. Through that process, people still have an ability to appeal.

I have covered most of the points raised by the Opposition generally, but I want to deal with a couple of matters raised by individual members. The member for Eyre talked about the Council of Australian Governments reforms, and wondered whether they were being forced upon Western Australia. In some ways I agree with his comments about the COAG reforms. The water reforms will be of great benefit to the State. He was concerned about the drainage of salt areas. The member for Maylands made the comment that those could be blocked. Those issues will be managed by the local committees, with the assistance of the Water and Rivers Commission, and they will make the rules for those areas. Once again, there is an appeal process to the minister.

The member for Murray-Wellington was largely supportive of protection, but was concerned about the selling of water to the highest bidder and the agricultural users missing out. I was concerned about that when I first brought the Bill into the Parliament. There are opportunities for the commission and me, as minister, to have control over the allocation. There is no opportunity for people to speculate by buying the water allocation without their being able to use it. They must have the property and a use for the water, and those things will be strictly controlled in the licensed allocations by the commission. As the member for Murray-Wellington suggested, there will be an added advantage for irrigators, particularly those in the south west irrigation cooperative: As their agricultural techniques improve and they move from flood farming to much more efficient methods of irrigation, there will be excess water which they will be able to sell into the region and make extra money from.

The member for Armadale was concerned about riparian rights, and I appreciate those concerns. Last year we were in British Columbia, where the riparian rights are entrenched in the water laws. The whole of the capital city of Vancouver has riparian rights from the river that runs through it. There are water meters, but no charges and free access to whatever amount of water people want to consume. That is just part of the North American legislative system for water control. Our riparian rights are inherited from the English system, and are much more strictly controlled. They have been managed improperly in the past. People have been taking far too much water. In this Bill we have strictly defined riparian rights, and the water people can take from the river as part of that system. On top of this, where people are using the water improperly, there is an ability for the Water and Rivers Commission to create local rules for the area, in consultation with people in the local community, taking into account their needs so that controls can be put in place, even above the riparian rights, which have been better defined, to manage use of that water properly.

Ms MacTiernan: Do you see any problem in imposing some restrictions that are suggested here, where people have access to scheme water and the river is being topped up by scheme water, or should they be subject to the same time restrictions as are others in terms of the use of water?

Dr HAMES: That is an interesting point. I will look at that further. To some degree, it applies with the use of household sprinklers. There are daytime bans on the scheme water use of sprinklers, but not on bores which can be used without any restriction on the amount of water taken, and whenever people like. We have had a lot of debate about whether we should put daytime sprinkler bans on household bores as well. We have been trying to get some community feedback for the concept. There is a lot of resistance to doing that. People feel that in most areas, particularly Morley, there are large amounts of water, so they would not be able to overuse it. Through community pressure and advertising, we are trying to get them to set a proper example for everybody. As I say, there is a lot of resistance to bringing in bans.

Ms MacTiernan: We would support you on it.

Dr HAMES: If there is a limitless supply of water, given the riparian use that is likely to come out of the river, we would not do that. Where the water must be topped up or where there are restrictions on its use, it would be a sensible move. I will look at that matter. The member for Nollamara talked about the problems in Moora. Changing the course of that river is an ongoing issue. At present we are in the process of putting a management plan in place over the area, which has the support of the local community.

The member for Kimberley, the final speaker in the debate, made general comments about the dangers of this legislation, the difficulties other States are having with it, and the fights that are occurring in other States. In fact, they are not fighting about tradeable water rights at all; they have had them for years. When our local members visited those communities, they

were told in no uncertain terms that it was essential in the proper management of water. The ones that are fighting the COAG reforms in the eastern States are not the environmentalists who are concerned for the ongoing proper use of water in the State, but the people who are part of a process of overallocation of all the water in those States, particularly in the Murray-Darling Basin, which has had a devastating effect on both the salinity and the proper water management of that region. Those people have a huge amount of work to do to claw back the overallocation of that water. If they do not do that, the farmers and the people downstream from them will be in serious difficulty. I think in the longer term for future generations, this legislation will be the best thing that has happened to those farmers in the eastern States.

Mr McGowan: Is the member for Kimberley correct in his assertions?

Dr HAMES: Not when he said that the States are fighting about it, but I think he is right when he says that this is dangerous legislation which should be watched very carefully.

Question put and passed.

Bill read a second time.

Standing Orders Suspension

On motion by Dr Hames (Minister for Water Resources), resolved -

That so much of Standing Orders be suspended as would allow the Assembly, when considering in detail the Rights in Water and Irrigation Amendment Bill 1999, to consider the following schedule of amendments as one question -

Schedule

That whenever listed in the schedule below - To delete "resource" or "resources" and substitute the following -

" resources management ".

Clause 7

Page 8, line 4;

Clause 20

Page 17, lines 1 and 5;

Clause 44

Page 37, lines 2, 8 and 10;

Page 46, line 27;

Page 47, lines 1 and 8;

Clause 51

Page 83, line 12; and

Clause 69

Page 101, line 20.

REAL ESTATE LEGISLATION (FIDELITY GUARANTEE FUNDS) AMENDMENT BILL 1999

Third Reading

Bill read a third time, on motion by Mr Shave (Minister for Fair Trading), and transmitted to the Council.

Points of Order

Mr McGINTY: There was an agreement, when the Minister for Fair Trading was absent when this matter was last debated - the Leader of the House was party to this agreement - that the minister would use the third reading debate to address certain issues. Because the minister was absent during the second reading debate we agreed to pass the second reading of the Bill, and to move on to the third reading stage on the basis that the minister would use the third reading of the Bill to deal with the great variety of matters that arose out of the second reading debate.

I am concerned that the procedure that has now been adopted will mean there will be no contribution to the second or the third reading stages of this Bill by the minister. When the matter was put, had we been aware of that issue, the vote might well have been different. For the smooth running of the Parliament we rely on undertakings that are given about the way in which things will proceed, and for matters to proceed on that basis. I ask that the vote be put again, because it was put subject to certain understandings and undertakings which have now not in any way eventuated. If that is to be the case there is a certain amount of honour which necessitates the matter being reput, because frankly what has now occurred is not acceptable.

Mr BARNETT: I will make a quick response to that. There was an anticipation on this side of the House that members opposite may have commented on the third reading. I was expecting a member opposite to stand up.

Mr KOBELKE: I cannot find the relevant standing order, but I am sure one of the Clerks can help me. Mr Deputy Speaker, you put the question, and almost declared it, although I do not think you had finished speaking when the member for Fremantle got your attention. The standing orders allow for a question to be put again if there is some confusion. That is clearly the case from what has already been said. I will reiterate that at the second reading stage of the debate many questions were asked of the minister and he gave undertakings to respond to those questions. When we got to the end of the second reading speech the minister was not in the Chamber. As a result of that I indicated to the Leader of the House that we were happy to expedite government business, because we did not wish to go into the consideration in detail stage on this Bill, to allow the second reading to be completed, to bypass consideration in detail and move straight to the third reading when the minister would be given an opportunity to answer those questions and the debate would be concluded. The minister rose to his feet when you asked that the Bill be read a third time. There was general anticipation that the minister would at least attempt to answer some of those questions. On the basis that I hope the minister will answer those questions, I suggest that for the good running of the House it is within the powers of the Deputy Speaker to put that question again so the minister might be given the opportunity.

Ruling by the Deputy Speaker

The DEPUTY SPEAKER: It is within my power to put the question again. However, from my point of view there was no doubt in my mind that I asked that the Bill be read a third time. I put the vote. I asked for "yes", and then I asked for "no". It was carried. I made the decision that the Bill would be read a third time. The Bill was then read a third time. Then I took the points of order. I am sorry, it is too late for us to do anything about it.

Dissent from Deputy Speaker's Ruling

Mr McGINTY: I move -

That the House dissent from the Deputy Speaker's ruling.

This is shameful. The minister was not here to conclude the debate on his own piece of controversial legislation. It led to a debate which has been the subject of considerable -

Mr Shave: There is nothing controversial about the legislation. You are voting for it. If it is controversial why are you voting for it?

Mr McGINTY: There is everything controversial about this matter being before the Parliament.

We entered into an understanding as to the way in which things would proceed in this House. That understanding was stated in the Chamber by means of an exchange between the Leader of the House and the opposition leader of business in the House. The understanding was stated in the House that the minister would use the third reading debate to reply to those matters which would normally be the subject of the minister's closing address in the second reading debate. We were given an undertaking that that would occur and on that basis we concluded the second reading debate.

That undertaking has not been honoured. I ask the Leader of the House, who gave the undertaking, is that any way to conduct the business of the House - that is, to give an undertaking and then renege on it?

Mr Barnett: What happened, member for Fremantle, was that events happened quicker than people appreciated. It would have been a normal expectation that a member of the Opposition would have risen and made some comments on the third reading. It was my genuine expectation that would have happened. I was as surprised as you when the Bill was read a third time without further debate.

Mr McGINTY: Did the Leader of the House give the undertaking that I just referred to?

Mr Barnett: I can check *Hansard* but I do not recall giving an undertaking such as that. There was certainly an agreement across the House that as the minister was not in the House we would conclude the second reading debate, and although he was not here to respond to the debate we would go through to third reading and allow debate to continue in the third reading. That was the understanding.

Mr McGINTY: And that the minister would use the third reading to make the contribution he would normally make in response to the second reading debate.

Mr Barnett: How he responds is at his discretion.

Mr McGINTY: I suggest that if this is the way the Leader of the House wants to run the business of the House, and he rats on an undertaking that has been given in the House, he will not get any further agreements from this side of the House.

Mr Barnett: Sorry, and I say categorically that it would have been my preference to have had a third reading debate. However, the Deputy Speaker has ruled - in my view, quite correctly - and it is unfortunate that the third reading debate has not taken place. However, the procedures of the House were followed correctly.

Mr McGINTY: Does the Leader of the House find it acceptable that one of his ministers, in the full expectation of everyone that he would deal with the issues of substance raised in the debate, refused to debate those issues in the light of the expectation that everyone has?

Mr Barnett: It is up to a minister to respond as he or she wishes.

Mr McGINTY: It is not up to a minister not to respond at all. Mr Deputy Speaker, you are presiding over a farce here. It

must be said, to be frank, that is the nature of what is now occurring. The issues at stake here are that the minister has been prepared to stand up in the Parliament and be critical of matters raised in the debate in question time today and yesterday. The minister was happy to make available an uncorrected copy of the *Hansard* to one of his finance broking firm friends. I am sure that he did not make that copy of the uncorrected *Hansard* available to those people who were the victims of this finance broking firm.

Mr SHAVE: That is untrue. You are telling untruths.

Mr McGINTY: Why does the minister not stand up and say that. That is all we are asking him to do; to stand up and defend his position.

Mr SHAVE: Wait until I sum up.

Mr McGINTY: Are we actually going to get the minister on his feet on this issue? Why was the minister running so scared and refusing to participate in the debate? There is corruption here, which was explained in great detail to the House. These are matters going to the core of the administration of the minister's portfolio. The Ministry of Fair Trading and the minister exist to provide protection for investors through finance brokers. That is the reason the ministry licenses finance brokers in this State. That is the reason for the Finance Brokers Supervisory Board because, as its name suggests, it supervises the conduct and propriety of the conduct of finance brokers. Through the same department, valuers are licensed by the Government so that their behaviour can be controlled by the Government in the interests of consumers. The department used to be called the Department of Consumer Affairs, because it was about protecting consumers.

Serious matters were raised, and the minister challenged me to take them to the police. I have taken them to the fraud squad. I sent a letter yesterday to the Commissioner of Police asking him to get the fraud squad involved in investigating these matters. No action was taken by the minister. He wanted only to protect his friends, the mortgage brokers, by tabling in this House a letter quoting extensively from the uncorrected *Hansard*, placing that on the record of this House and making it available to the mortgage firm that happens to have people in high places aligned with it as one of the directors. These are significant matters, to which the minister should have replied and that is why I think your ruling, Mr Deputy Speaker, is wrong.

Points of Order

Mr SHAVE: The member for Fremantle is making an allegation that I provided uncorrected copies of *Hansard* to various people. I did not do that, and I think he should withdraw that allegation. It is untrue and he should withdraw the allegation.

Mr KOBELKE: With regard to the allegation by the member for Fremantle that an uncorrected version of *Hansard* was distributed, it is not appropriate to canvass all the facts related to that. You, Mr Deputy Speaker, will be well aware from the paper tabled yesterday by the minister, that the minister received from the person against whom the accusations were made, a letter that is clearly based on the uncorrected *Hansard*. The only way that got back to the Parliament is through the minister. It becomes a debate about the facts and how they might be put together to reach the point of view put by the member for Fremantle. On that basis, the minister has no defence for suggesting that such an allegation should be struck from the record. The minister has not been willing to enter into this debate and, that being the case, he must sit and take it because he has not been able to defend himself in the debate. The use of points of order to stop free debate in this Chamber reflects the type of minister he is; that is, one who cannot deal with the facts and the arguments. I put it to you, Mr Deputy Speaker, that it is not a point of order.

The DEPUTY SPEAKER: Every member in this Chamber has the right to stand and take a point of order. I ask the minister whether he read from the corrected *Hansard* or the uncorrected *Hansard* in this place.

Mr SHAVE: I read from a letter and referred to a letter in this place and to some comments. Members opposite have accused me of sending an uncorrected copy of *Hansard* to another party, whom I have not spoken to in two or three months and have met on one occasion as a member of the Finance Brokers Supervisory Board with six other people. I have had no contact with that person, other than to receive a letter from him. The accusations the member for Fremantle is making are entirely false, and the member for Nollamara is trying to say I should accept that opposition members can tell untruths in this place and not get to my feet and defend myself.

The DEPUTY SPEAKER: I have an assurance from the minister that it was the corrected *Hansard* and I will take that assurance.

Mr McGINTY: No, you do not; you are wrong, Mr Deputy Speaker. He did not say anything of the kind.

The DEPUTY SPEAKER: Order! That is the decision I am making.

Mr McGINTY: Mr Deputy Speaker, do you want another dissent motion?

The DEPUTY SPEAKER: The member can please himself.

Mr McGINTY: He did not say anything of the sort.

The DEPUTY SPEAKER: As I recall the conversation, the allegation was that the minister had sent an uncorrected *Hansard* to these people. He has told me he did not send an uncorrected *Hansard*. I will take the word of the minister.

Mr McGINTY: It is a different proposition from what you first said, Mr Deputy Speaker.

The DEPUTY SPEAKER: It may be, but it is exactly the same point I was trying to make.

Debate Resumed

Mr McGINTY: The reason you, Mr Deputy Speaker, should have ruled that the matter should be resubmitted, is that matters of considerable moment are associated with this legislation. There was an understanding of the way in which matters would proceed. Since the second reading debate, the minister has tabled in this House a document which quotes from an uncorrected *Hansard*. It must be an uncorrected *Hansard* because on 17 November there was no corrected *Hansard* for 16 November. The letter tabled by the minister in this place contains extensive statements, in inverted commas, which are direct quotes from the uncorrected *Hansard*. Frankly, I will not make too much of a point about the uncorrected *Hansard* being made available to people, because it occurs from time to time. However, I believe it was an error by the minister to have that quoted back in the Parliament as the minister's only public comment on this issue, when there was an understanding that the matter would be further debated in the Parliament at the third reading. The minister squibbed out of that debate by not getting to his feet and dealing with the issues, and that was contrary to the understanding opposition members had.

That is the reason the Opposition has now moved dissent from your ruling on this matter, Mr Deputy Speaker.

I refer to the letter from MFA Finance, which has become the subject of some heat in recent moments in this Chamber, and the quoting of several statements I made in the House. MFA has provided a statement in respect of each of the facts I raised in the course of the debate indicating that the statements I made are true. That is what the letter says. I refer to the first point under the heading "Statement", which quotes from the uncorrected *Hansard* -

We understand Mr McGinty said that "Mr Fisher wrote that Mr Kennedy's current statement of assets and liability included gross assets of \$12.153 million, liabilities of only \$6.605 million and a net surplus of \$5.548 million, and that Mr Kennedy had proved a reliable borrower with MFA. This was a blatant lie peddled by MFA Finance Pty Ltd"

The letter goes on, and the same pattern is followed with each of the matters raised, to state under the heading "Fact" as a commentary from MFA Finance -

MFA Finance Pty Ltd has a signed statement of assets and liabilities by Mr Kennedy confirming the numbers referred to in my letter. Mr Kennedy has proved to be a reliable borrower, having paid interest up till Friday 12th November, 1999.

The letter is signed by H.R. Fisher, a director of MFA Finance. We have an admission by MFA Finance that the five facts about this matter that I outlined to the House in my speech are correct. However, the letter takes issue with the conclusion that I have drawn from those facts. The minister has said in this place that this letter completely refutes the allegations that I made in this House. It does nothing of the sort. It completely confirms every one of the facts that I raised in support of those allegations, but MFA Finance draws a different conclusion from those facts. I had expected that with regard to the facts that I outlined to the House, I would be found to be 100 per cent correct, and this letter confirms that I am correct. However, in respect of the conclusion that I drew, I would hardly have expected MFA Finance to admit in a letter to the minister, which the minister then tabled in the House, that it was guilty of a conspiracy to defraud. No-one would expect it to do that. All that the letter has done is say, "McGinty got the facts 100 per cent right, but we dispute the conclusion and reasoning that flow from those facts and whether those facts would in themselves constitute a criminal offence."

The minister should have used the opportunity - and parliamentary propriety dictates that he would use the opportunity - of the third reading debate to deal with these matters in the same way in which I outlined them to the House initially, and to present further evidence and information that needs to be brought forward from the minister's links with MFA Finance to explain what has occurred. Alternatively, the minister could have taken the opportunity to say that every one of the facts that I have outlined is conceded, and the department has taken particular action. I had expected that the minimum that the minister would do in these circumstances is refer this matter to the Finance Brokers Supervisory Board, and that rather than ask me to refer this matter to the fraud squad, he would have done so himself. A variety of other processes are available to the minister within his department of which he has not availed himself, and we know that because we asked him today what had he done within his department to deal with these matters. It is wrong that we need to use question time to deal with matters that we were led to believe and were given an undertaking would be dealt with in the third reading debate, in which an accountable minister would explain what he had done with regard to these serious matters. It is one thing to be indignant, as the minister and the Premier obviously were during question time today. It is another matter altogether to refuse to be accountable to the Parliament and to use a cheap trick to slide out of a third reading debate which everyone expected in good faith would occur, because we had allowed the second reading to pass in the absence of the minister. It demeans the minister that he has refused to be accountable in this matter, that he has refused to abide by the understanding that has been entered into and that he has refused to address in detail the matters that have been raised.

My good friend the member for Armadale raised a range of matters affecting a particular law firm that is associated with the real estate industry and certain transactions that have taken place through finance brokers and real estate agents. The member for Armadale also addressed in some detail certain matters with regard to the Sure Sale scheme, which fits directly into this debate because one of the issues that has been raised is the explosion in the number of claims made under the real estate agents fidelity guarantee fund, which has increased from payouts in the order of \$80 000 to \$100 000 a year for the past four or five years to expected payouts in the order of \$5m this year. That enormous increase in payouts has been caused in part by the operations of some of these finance brokers and in part by the Sure Sale scheme. It is a disgrace that the minister would not even address those serious matters in the expectation that this legislation would sail through. A discretion is vested in you, Mr Deputy Speaker, in these matters -

The DEPUTY SPEAKER: Order! I remind the member for Fremantle that he is dissenting from my ruling, and while I am

allowing him a lot of latitude his speech should be about the reason that he is dissenting not from the minister but from my ruling.

Mr McGINTY: I appreciate the point that you raise, Mr Deputy Speaker, but I was mid-sentence in saying that you are allowed a significant discretion under the standing orders to recommit a matter where there is confusion. The confusion has arisen from an understanding about the way in which this matter would proceed. The minister has refused to respond at the third reading stage. I hear some members on the government back bench say that he does not need to respond. Sure, but the Leader of the House gave an undertaking that he would respond, and that was the basis upon which the matter proceeded. It is the essence of confusion for you not to exercise your discretion in this matter, Mr Deputy Speaker, because the vote proceeded on a particular undertaking, but that undertaking was not honoured, and members would not have voted in the way they voted had they known that undertaking would not be honoured. It is not acceptable in legislation of this nature, where controversial matters have been raised in the debate, for the minister to refuse to discuss those matters. Some ministers have the view that they should be accountable and should stand in the Parliament and tell people what they know about things, but other ministers have the view that it is safer for them never to commit themselves and never to say anything because in that way they will never get into trouble. Unfortunately the minister with whom we are dealing here fits into that latter category. He is trying not to get himself into trouble by simply refusing to debate the issue.

If this were routine legislation of an uncontroversial nature and we had agreed to let it go through, there would be no point in wasting the time of this Parliament by having a third reading debate. However, that is not the case on this occasion, because serious matters have been raised. That is why you are wrong, Mr Deputy Speaker, in ruling that the vote be allowed to stand, because an undertaking, which forms the basis of the smooth operations of this House, has not been honoured, and this sort of ruling will ensure that in future this House will not run smoothly, and that will not be in anyone's interests. Mr Deputy Speaker, you have made a rod for the back of this House by allowing this sort of behaviour to continue in the future and by allowing an undertaking that has been given to be breached on the floor of this House. That undertaking may have been given notionally behind the Chair, but I heard it given in front of the Speaker the other night, and because the minister was not here to conclude the debate on this legislation we thought we would do the right thing and help facilitate the passage of this legislation to ensure there were no delays in getting it through as we were approaching the end of this session. We cannot do that and then have a minister refuse to be accountable, refuse to answer the issues that have been raised and refuse to explain what he has done within his own department.

It is interesting that today in question time, the minister was asked what action he had taken in his own department in respect of the MFA Finance matter. His answer was, as best I recall, that appropriate steps were being taken. If that is the best the minister can do, we need to have a third reading debate on this legislation to find out what action he has taken, whether there has been a reference to the Finance Brokers Supervisory Board, and whether investigators have been sent to compile matters and to advise the Fraud Squad in its investigation of this matter. A raft of matters, including those raised by the member for Armadale, warranted a commitment from the minister that he would deal with them.

What we have seen is a very one-sided approach; a denial of the minister's basic reason for his existence. He is there to protect the consumer. His job is not to protect finance brokers who have inflicted pain on thousands upon thousands of self-funded retirees in this State. We have seen examples of this with Grubb Real Estate and Finance, Global Finance, Blackburne and Dixon Pty Ltd and now, with this particularly grubby deal, MFA Finance Pty Ltd as well. The losses in respect of Grubb, Global and Blackburne and Dixon involve tens of millions of dollars. That is not yet the case with MFA Finance, but this sort of deal involves a grossly inflated valuation. It may well be, as the minister said to me during question time, that the awarding to Dunsborough of the title of tourism town of the year might do something to inflate the values of the Dunsborough properties, which were the subject of this deal, in which case the loss may not be quite so great.

Mr Shave: I did not use the word "inflate". I might have said, as you well know, that it might support the valuation. Why don't you just for once say something honest in this place. You are an absolute disgrace when you stand up in this place.

Mr McGINTY: Maybe we could make a comment about the minister if he got on his feet and addressed the issues that affect his portfolio, as it was undertaken he would do, rather than reneging on an undertaking, which is what he has done today.

Mr Shave: You will end up worse than Pinocchio. You wonder why *The West Australian* will not report you when you speak.

Mr McGINTY: The minister has been with *The West Australian* urging reporters not to report his mates in the finance broking industry.

Mr Shave: That is what you accuse me of. You said I nobble them. You know that is the truth. I am the only one telling the truth here at the moment.

Mr McGINTY: Far from it.

Mr Shave: Why don't you start?

Mr McGINTY: I would happily sit down if the minister would undertake to address the various matters that have been raised in his portfolio and which require him to deal with them. He has not been able to stand up and deal with those issues. It is really quite disgraceful for him to slink away and hope to avoid debate, scrutiny and hurting himself and perhaps his Government by answering the questions. The reason may be that the questions are not able to be answered by the minister in a way that would suit his friends in the finance broking industry. However, for whatever reason, Mr Deputy Speaker, by allowing that vote to go ahead in the way in which you did, you did the Parliament a disservice. That is the reason that we have moved the dissent motion.

Mr BARNETT: The Government does not support this dissent motion. It supports your ruling, Mr Deputy Speaker. I wish to make some comments on why the Government views it in that way.

The circumstance on Tuesday evening was that this legislation was being debated. From the comments of members opposite, the legislation had bipartisan support. It is a fairly simple piece of legislation that extends some of the rights of individual investors in the case of real estate finance. From my recollection, the member for Nollamara was speaking on the Bill at the time when the Acting Speaker left the Chair for the dinner recess. The debate was not adjourned but the Chair vacated. When we returned after dinner the member for Nollamara continued his speech. The minister was not available in the House. I then asked the members opposite if they supported the legislation, and they indicated they did, and indeed I believe they said they did not want to hold it up. There was an understanding that we would conclude the second reading debate, albeit in the absence of the minister. There was no desire to go into consideration in detail as there was a broad agreement that it was not necessary. Therefore, the third reading of the Bill was made an Order of the Day for the next day of sitting. I remember the situation quite clearly; a number of people were in the gallery, who were presumably investors and following the debate quite intently. The member for Fremantle made some contentious allegations about one particular finance broker; indeed, that probably dominated the debate rather than the substance of the Bill. There was no agreement as such but, I agree with the member for Fremantle, there was an understanding.

Ms MacTiernan: That is splitting hairs. We will be very careful about your understandings in the future.

Mr BARNETT: There was an expectation that any further issues would occur in the third reading. This motion of dissent relates to the position taken by the Deputy Speaker. The issue was that the third reading of this Bill came up half an hour or so ago. The minister quite properly moved that the Bill be now read a third time. He chose not to speak at that stage.

Ms MacTiernan: When is he going to speak?

Mr BARNETT: Let me finish. I had a legitimate expectation that a member opposite would rise to his or her feet and speak or that the minister would speak.

Ms MacTiernan: Did you discuss it with the minister?

Mr BARNETT: Hang on! For whatever reason the minister chose not to speak and members opposite did not rise to their feet. They had an opportunity to speak. The Deputy Speaker then quite properly and without haste simply put the question that the Bill be read a third time, and it went through. The procedure followed by the Deputy Speaker was absolutely correct. That is why the dissent motion should properly fail.

If the minister wishes, he can comment on the issues to do with the legislation. Members opposite could have jumped to their feet and spoken on the third reading; that was their choice. However, this motion is about dissent. The Deputy Speaker followed the procedures absolutely appropriately and did not rush them. There is no support, and indeed we support the ruling of the Deputy Speaker.

Mr SHAVE: I would also like to comment on the motion. What happened the other night is that I had been paired for two weeks to go to a function.

Ms MacTiernan: This is your one piece of legislation in two years.

Mr SHAVE: That is the way things happen. At 6.00 pm I went to the young man in charge of the proceedings from 7.00 pm onwards and said that I had this function to go to and would he require me here after 7.00 pm. He said no, the Parliament was going on to other legislation and this issue would not be carried further forward that evening. I asked him if he was absolutely sure because I would change my arrangements. He said that it would not be necessary, so I left.

You have given the member for Fremantle considerable latitude in this debate, Mr Deputy Speaker. What has happened with this legislation is that the Opposition has chosen to talk on issues related to the legislation but in effect has veered greatly from the guts of the Bill and its intent. The intent of the Bill is to give protection to consumers out there in the marketplace, which the Opposition has acknowledged. When I was speaking to members opposite during the second reading debate, they were saying that they did not really want to go into consideration in detail on the legislation because they did not see it as necessary and because they supported it. I think the member for Nollamara indicated that to me. That is the truth of the matter.

They chose to use the second reading debate to try to create a stunt relating to certain mortgage brokers. They made certain allegations. All I have said, Mr Deputy Speaker, is that they should take the allegations outside the House and substantiate them. They have done this before. They did it with Wanneroo.

Mr Pendal: It was done with WA Inc. That is what parliamentary debate is all about.

Mr SHAVE: The member for South Perth may have been a party to sheltering in this place and accusing people of criminal conspiracy. I do not know whether he has been or not, but I have not. If that is his form, he should go for it. If he wants to align himself with this grubby little man over here, he must align himself with him.

Withdrawal of Remark

Mr KOBELKE: The action of the minister in pointing his finger, which *Hansard* might not have recorded, was an adverse reflection on the member for Fremantle. Mr Deputy Speaker, I ask you to require the minister to withdraw accusations such as "this grubby little man", when pointing clearly to the member on this side. That language and the intent were quite unparliamentary.

The DEPUTY SPEAKER: I thought the minister was talking to the member for South Perth and not the member for Fremantle. As such, I ask him to direct all his comments to the Chair and not to individual members of Parliament.

Mr SHAVE: I was speaking to the member for South Perth, but I was speaking about the member for Fremantle.

The DEPUTY SPEAKER: If the minister said something unparliamentary, I ask him to withdraw.

Mr SHAVE: I withdraw.

Debate Resumed

Mr SHAVE: That is what has gone on. The Labor Party has chosen to use this legislation, which is designed to protect and support consumers, as a means of attacking the Government.

Ms MacTiernan: As a means of showing how consumers are not protected.

Mr SHAVE: With regard to certain comments about my giving commitments, I have always said that if I do not have information to answer questions, I will get it.

Ms MacTiernan: When will you give it to us?

Mr SHAVE: My staff are going through all the requests such as those from the member for Nollamara. If those requests are legitimate and if they relate to this legislation, I am more than happy for them to provide that information to members in this Chamber, as they always do.

Mr Kobelke: I asked you a series of questions, which you indicated at the time you would try to answer. I do not think it is appropriate that those answers be mailed to me. They should be part of the record of the debate. If you do not intend to answer those questions during the third reading debate, when will they be put on the record?

Mr SHAVE: I give an undertaking that all the questions the member asked, assuming they do not -

Mr Kobelke: These were specific to the detail of the Bill.

Mr SHAVE: I am happy to provide all that information for the member at the earliest opportunity.

Ms MacTIERNAN: I support this motion of dissent. The Labor Party regrets having to dissent from your ruling, Mr Deputy Speaker, because you have generally exercised your discretion very fairly. However, as has been pointed out, this House operates very much on cooperation. If there is not a high level of cooperation, there will be very little progress with legislation. If we are to take every point in the book, if we are to engage in warfare because the undertakings of one side cannot be trusted by the other side, we will make very little progress with the legislation before this House and with matters of great concern to the community. That is the context in which your decision not to exercise a discretion to call that vote again must be seen. It is perhaps the beginning of a very adversarial approach to standing orders that will not serve the best interests of this House.

Indeed, a very clear undertaking was given by the Leader of the House.

Mr McGinty: It was an understanding.

Ms MacTIERNAN: We will now not be able to rely on those understandings. Unless we have agreements formally enshrined in some sort of process, we will not be able to rely on this convention.

This was a serious matter. Many questions were asked in the second reading debate that needed to be addressed. The minister's defence was that the Opposition supported the legislation, so the Government did not need to respond. That is absolute nonsense. We saw the precedent today when the Opposition supported the Rights in Water and Irrigation Amendment Bill. The Minister for Water Resources sat through the debate, took notes and responded in considerable detail to the points that had been raised by members on this side of the House. In all my time in Parliament I have never experienced a situation in which lengthy contributions have been made on a substantive Bill that have not been responded to at the second reading stage. Members on this side had every expectation that that would happen. We then had every expectation that the Minister for Fair Trading - as the ministry is so laughingly called - would do the same thing.

Indeed, I had a discussion yesterday with the Minister for Fair Trading about his absence from the Chamber on Tuesday night and why we did not give the normal response then. Everything I said at that time would have clearly alerted him to the fact that that was the expectation of members on this side that had arisen out of our "understanding" with the Leader of the House; that is, that the minister would take up all those points in the second reading stage of the debate. It was our expectation that he would discharge the duties of a responsible minister at the second reading stage. We accepted his view that there had been a breakdown of communication - surprisingly enough - between himself and the Leader of the House and that a mistake had been made. There was an opportunity to rectify that at the third reading stage.

I said that I looked forward to his responding to a number of specific issues I raised during the debate about the operation of the fidelity fund. I agree that a wide range of issues was canvassed, but a number dealt very directly with the operation of the fidelity fund and the way in which access to that fund is blocked by the time restrictions that one of the specific provisions of the Bill is seeking to address. I also raised specific questions about other fundamental problems regarding access to the fund by the victims of real estate fraud. One of those problems was the penchant of the department not to finish an investigation. Investigations are started and they continue and continue and continue. They are never completed so a person is never able to go to the fidelity fund with the results of an investigation proving that he is the victim of real estate fraud and therefore entitled to recompense. The department keeps the investigations going. The Sure Sale Systems Property

Ltd scam went for only six weeks, but the department has been investigating it for three and a half years. It has taken the department three and a half years to investigate a scam that operated for six weeks in the middle of 1996! The approximately 20 to 30 people who were the victims of that scam are still waiting for their opportunity to claim some money from the fidelity fund, but they are relying on this minister to bring to a conclusion the investigation the department has been undertaking for years.

The DEPUTY SPEAKER: I remind members that we are debating the dissent from my ruling. I understand this is very relevant to the member, but it is not relevant to the debate.

Ms MacTIERNAN: I understand, Mr Deputy Speaker. However, I believe you need to understand the context of the dissent. The Opposition's argument is that, in this instance, you should have exercised your discretion to put the question again to give members on this side the opportunity to debate the issue. That came out of the context of an undertaking given by the Leader of the House. In turn, that undertaking had its source in the seriousness of the allegations and issues that had been raised in the second reading debate. That is how it is relevant.

Mr Johnson: Where were you when the question was put?

Ms MacTIERNAN: I admit that members on this side were waiting for the minister to speak because we relied on the undertaking by the Leader of the House. It now appears that we will have to reconsider whether we rely on those undertakings. I see the vegie patch is getting restless, so I will not take up much more time.

The Labor Party raised very serious questions about a range of issues, including the operation of the fidelity fund and the way the department was acting in a completely unscrupulous way in not bringing investigations to a conclusion. In May 1998, I asked the minister why this investigation had been underway for two years and had not been completed. He told me it was because the matters had been referred to the Crown Solicitor. In May 1999, I asked the same question. This time I asked why it had taken three years. In May 1999, I got the same answer - the matter is with the Crown Solicitor. It is insane and unfair because many people have legitimate claims with the fidelity fund, and have been denied by the scurrilous behaviour of the Real Estate and Business Agents Supervisory Board and the ministry in not bringing the investigation to conclusion. We set out the fact that we saw that one of the parties involved in the very kernel of the scheme was also engaged in the finance broking schemes put up by the company of the Premier's brother. We were canvassing whether that provided an explanation for why no action had been taken by the ministry in three and a half years to bring this investigation to an end.

Serious allegations have been raised. We made it very clear during the debate and the discussions behind the Chair with the Leader of the House that we wanted, and expected, as one can do from a minister who is being paid a handsome salary, the minister to respond to the queries that were made. We regret that the undertakings were broken. We were operating under a mistake, an illusion. I am looking at the commentary on Standing Order No 127. That anticipates that at times, members will vote on the basis of a mistake as to what is happening in the House at that time, and there are provisions for a vote to be annulled and put again to the House. As I said, we are dissenting from the ruling because we believe the way in which you, Mr Deputy Speaker, have exercised your discretion is most unfortunate, in that it brings with it the very grave possibility that from now on we will be forced into a situation of non-cooperation, of dealing with the Government by the book. We will be forced to work to rule. That will not be in anyone's interest. The larger context of the decision has led us to this position, and regrettably we have had to move dissent.

Mr PENDAL: I took part in the debate on Tuesday night. I want to explain my expectation at that time. First, I must say that it has nothing to do with your ruling, Mr Deputy Speaker. My understanding is that you ruled that the third reading occurred in the normal, orthodox, conventional fashion, and it did. Secondly, it seems to me that the Chair cannot be responsible for arrangements made elsewhere. Thirdly, and I differ only slightly from the member for Armadale, no arrangement was made behind the Chair; an arrangement was made that was read into the record. My recollection of it is this: Upon resumption after the dinner suspension, no minister was in the Chamber. I have seen some funny things in my time in this place, but I have never seen a minister disappear from the Chamber halfway through his handling of a Bill. With all due respect, if the minister knew he was to be absent afterwards, it was his responsibility to seek an adjournment of the debate before he left.

I have heard the minister's comment about the young man at the back, and I presume he might have been referring to one of the several officers who help to arrange the Government's legislative program. With the greatest of respect, what happens outside finishes at the Bar of the House. The arrangements are made here, not by people, albeit very competent, who are on the other side of the Bar. A member cannot escape his or her responsibility in that way.

There has been a breach of trust here on the part of the Minister for Fair Trading. I have a very clear recollection that the Leader of the House said to the members present at that time that the minister was not here. I recall, from memory, his saying that to some extent he was in the hands of the House. I thought I heard him say that he preferred to see the Bill progress, but if other members felt differently, the debate should be adjourned. The Leader of the House was making a perfectly reasonable observation. This is where the breach of faith came in: I recall the member for Nollamara saying, by way of discussion across the Chamber, that we were trying to facilitate the Bill going through, but in view of what the Leader of the House had just said, we would forgo a consideration in detail debate and wait for the minister to respond in the third reading stage. There was the exception.

Now, what has this to do with me? I spoke in the second reading debate. I raised a very abbreviated form of some of the complaints that have been put together by Solomon Brothers, the solicitors. They contain the most fundamental, the most serious allegations. These are not allegations made recklessly by someone outside the Parliament. Incidentally, I was

appalled to hear a member of this House - the Minister for Fair Trading - refer to this place as the cowards' castle. I expect to hear that sort of thing said outside the Chamber by some loudmouth yahoo without any understanding of the Westminster system. For a member to describe this Chamber as a cowards' castle is an affront to both the House and the members. Many people have short memories. One reason we have parliamentary privilege is so that people can say things that sometimes make us feel uncomfortable.

Mr Shave: And are untrue.

Mr PENDAL: No. If they are untrue, ultimately the judgment is made on the person who made the comments. If the minister thinks there has been a breach of privilege, he knows, or should know, that he has a few avenues at his disposal by way of recourse. For 300 years, any sort of debate, not only a second reading debate, has relied on the capacity of members to come into the Chamber and say what they genuinely believe to be the case. If later a member is found to have falsified a speech or made things up, the House can act accordingly. It is the protector of its own processes.

I do not think there is any case that the Deputy Speaker's ruling can be dissented from; however, I can understand the sense of frustration of the member who has moved it. There was a breach of faith. The sad thing about this matter - not by the person who gave the understanding - is that the next time an undertaking is given, much more suspicion will build up. Then members will not believe each other and the process in which we are all involved will begin to suffer. This is the bottom line: We finished that debate; we short circuited it. I, among the other members present at that time, short circuited the debate because a minister had gone absent without leave, but with the exception - I repeat the word "exception" - that the minister would respond in the third reading stage. The minister did not do that, and I take that to be a breach of trust. There are no grounds for the dissent motion. However, I remind the House that every time something like this happens the level of trust upon which the place runs decreases. It is a bad thing for the legislative process.

Mr McGOWAN: I support the dissent motion moved by the member for Fremantle. I agree with the member for South Perth that what has taken place is extraordinary. We are not just dealing with this Bill. It is common practice in this Parliament for a Bill to be put before the House and for members to raise a range of issues relating to the Bill that need to be brought out into the open and discussed. The issues that were raised during debate on this Bill are significant to the thousands of Western Australians who lost large amounts of money from what can only be described as corrupt and shonky schemes. A number of people in my electorate have contacted me about these schemes, asking the Opposition to raise the issue in Parliament. These people have lost what amounts to their life savings in this series of debacles. Finance brokers have taken their money through mortgage schemes and have improperly squandered it. These are serious matters that should be debated in Parliament. We debate all sorts of things in Parliament and often waste lots of time. We often talk for hours on end about things that do not matter to anyone in the State. Members on both sides do it. I have done it myself. I have often spoken at length about things that do not matter. However, we are currently dealing with an issue that is extremely important to the thousands of ordinary so-called mums and dads who have lost their life savings in these schemes.

The Minister for Fair Trading is responsible for the government department that oversees and deals with these schemes. The Ministry of Fair Trading is responsible for these schemes. Yet, the minister sits in Parliament like Jabba the Hut while the Opposition raises these issues. He has the opportunity to respond on behalf of the Government but does nothing. His actions are revealing and the people of this State should take note of them. The member for Alfred Cove aspires to be the leader of this State. He openly aspires to be the Premier of Western Australia. He does not just want to be the Leader of the Liberal Party - he wants to be the Premier. He has said he is not prepared to be deputy to the member for Cottesloe. He wants to be the leader of this State. However, this issue is of great significance to thousands of people in this State and the Minister for Fair Trading does not even speak about it. He will not even address the issue; he just throws around a few platitudes. He provides no in-depth analysis of the arguments put forward by the member for Fremantle, nor does he address the issues the member for Armadale has been putting forward for months, if not years. It is revealing. I think I know the reason that the Minister for Fair Trading will not address these issues. It pains me to have to say this because I like the minister.

Several members interjected.

Mr McGOWAN: It pains me to say it. I do like him, unlike the member for South Perth. I find the minister to be quite humorous at times. He is a hail-fellow-well-met sort of chap and he has some good qualities. Although it pains me to say this, I will tell the House why the minister will not address these issues and it is very revealing: The minister has not addressed the issues raised by the Opposition because he does not understand them. Unless the Minister for Fair Trading has the speech written out in front of him, he cannot say it. He has been in this place for 10 years and he cannot stand up and address an argument on the principal part of his portfolio. He is supposed to spend 80 hours a week working on his portfolio but he does not have his head around it. He is gutless because he does not understand. The minister is too frightened to stand up in this place and address the issues raised by the Opposition because he does not understand them. He knows that if he stands up to address them, he will make a mistake, fall over his words or get engaged in a little bit of repartee with members and talk about couches or something of that nature and that will be it. It is sad that a minister and aspiring Premier is in such a condition that he is not smart enough to understand these significant issues. It is sad for the thousands of people who have been affected by this matter, and who have come to Parliament House to watch the issue be addressed. It is sad that such an incompetent minister deals with these issues on their behalf.

Mr KOBELKE: I support the motion of dissent. I do so with some regret because I know the Deputy Speaker attempts to give rulings which are fair and which seek to further the business of the House. Unfortunately, in light of the actions of the Minister for Fair Trading, which led to the Deputy Speaker's decision, no other recourse has been left open to us. The real issue is the behaviour of the Minister for Fair Trading. It is quite extraordinary behaviour.

The DEPUTY SPEAKER: I remind members they are dissenting from my ruling on the third reading debate. They are not dissenting from the behaviour of the minister. While I understand that is the reason members believe the dissent motion should be agreed to, I would like them to address the issue.

Mr KOBELKE: I thank the Deputy Speaker and accept his ruling. The dissent motion was moved because there was a clear understanding that the minister would reply to questions at the third reading stage of debate on the Bill. I asked the minister a number of specific questions during the second reading stage about the number of people who would be involved and the amount of money that might be required in payments because of the change of dates. Other questions were also asked; however, it is not appropriate to discuss those during the dissent motion. The minister gave an undertaking that he would provide answers. He has indicated in this afternoon's debate that he will provide those answers. However, that is not a reply to my questions. The questions were asked in debate in this Chamber as part of proceedings that were recorded in *Hansard*. His replies will not have that status because the minister has not done the normal and proper thing, which is to stand up at the end of the second reading or during the third reading stage and put on the record the answers to the specific questions. The minister has refused to do that.

Mr Trenorden: What role did the Deputy Speaker play in that?

Mr KOBELKE: I will address the Deputy Speaker's role. My point is that the answers should have been on the record. However, the minister does not want to do that, for his own reasons and for whatever game he is playing. Some members have already indicated to the House that the actions of the Minister for Fair Trading bring into jeopardy the very functioning of this Chamber. The functioning of this Chamber is clearly guided by the Speaker and the role played by the Deputy Speaker under the standing orders. Those standing orders will not function efficiently if they are not well-oiled with people willing to accommodate and work cooperatively with each other. There was a clear understanding to expedite the Bill through the House. I said to the Leader of the House at the time, by way of interjection, that the Opposition would allow matters to go through quicker than usual if the minister answered the questions during the third reading debate. I repeated that this morning to the Deputy Premier, who was in control of the House. The minister, of his own volition, decided he did not have to fit in with the proper working of the House. For his own purposes he simply decided to thumb his nose at the normal procedures and undertakings that were given publicly across the Chamber. That reflects on this minister and has the potential to undermine the good working of this Chamber.

I understand that the situation is difficult for many members opposite because they have an allegiance to you, Mr Deputy Speaker, and therefore must vote in favour of your ruling. However, I regret that many members on this side will vote against your ruling. Also members opposite realise that the behaviour of the Minister for Fair Trading has been abysmal in this case; yet due to solidarity they will have no option but to vote with the minister. That is the way politics works here and I do not expect it to be otherwise.

However, people on the other side know in their hearts that in this case they will be voting against what they know is required; that is, for this minister to be stood up for behaviour that is contemptible of this Parliament and unacceptable. If other ministers and this minister repeat this form of behaviour, the proceedings in this place will grind to a halt. It is our intention to work cooperatively with the Government so that its legislative program proceeds and the House works effectively.

If we follow our best intentions and cooperate, that is based on a degree of trust. If members opposite, like this minister, are not willing to accommodate that trust, it will disappear and that will be to the detriment of this House. With regret, I support the motion to dissent from your ruling, Mr Deputy Speaker.

Mr BROWN: I support this motion to dissent from the Deputy Speaker's ruling. A friend of mine who chaired meetings was often heard to say that rules are made for the guidance of the wise and adherence of fools. In this place, it is necessary to exercise discretion to ensure that the spirit and the intent of the standing orders are adhered to and they ensure that this House can legitimately attend to the business at hand. Smart little trickeries with the rules that seek to circumvent the Parliament's dealing with these things -

Mr Trenorden: That is a fairly outrageous thing to accuse the Deputy Speaker of.

Mr BROWN: I thought I was on my feet; it is not the member for Avon's turn to speak. That accusation is not intended. An undertaking was given by the minister.

Mr Trenorden: Deal with the minister; not the Deputy Speaker.

Mr BROWN: Mr Deputy Speaker, you are in this position because the minister does not have the temerity to go to his colleague, the Leader of the House, and tell him he was wrong and that he gave an undertaking he did not honour. In order to overcome the embarrassment for the Government and the difficulty of the Deputy Speaker, he should ask the Leader of the House to move to recommit the Bill. If the minister had any courage, he would stand up now, despite the animus that exists between him and the Leader of the House and say, "Colin, notwithstanding the animus between us, I want you to say to the House that you will move to recommit this matter and that the Government will support it." The minister will not do that because he does not have the courage.

Many people on this side who have spoken did so because of the outrage that occurred here this afternoon. The minister has put you in that position, Mr Deputy Speaker. It is an appalling position to be in. If the minister had any courage, he would get you out of that position. While I am on my feet and before this motion is put, he would go over to his friend and colleague, the Leader of the House, and say, "Notwithstanding the animus between us, I want you to indicate this to the House, because I am prepared to honour the commitments that were given."

Mr Shave: Would you be surprised to learn that your lead spokesperson approached me at lunchtime and asked me if I would get up first to debate this issue and that I said "No; you will have to do that"? How do you feel now?

Mr BROWN: That is not my understanding.

Mr McGinty: You are reneging on the deal.

Mr Shave: He knows exactly what he asked. He knew what he had to do, but he tried to be a smarty and has turned this into a stunt. Someone is not telling the truth, and I know I am.

Mr BROWN: As far as I am aware, a position was made and I thought that an indication was given by the minister -
Several members interjected.

The DEPUTY SPEAKER: The member for Bassendean is trying to make a speech. We do not want interjecting across the House so that he cannot be heard.

Mr BROWN: Thank you, Mr Deputy Speaker. If this device that has put you in this difficult position, Mr Deputy Speaker, is not checked, and is allowed to proceed in the way it looks like proceeding this afternoon with the Government using its numbers, it will create a high level of mistrust in this place. I do not mean at a political level; we never take the politics out of Parliament. If we must hammer everything down in this place and get it all in writing, mistrust will occur. As you know, Mr Deputy Speaker, from time to time when there has been a misunderstanding on either the government side or the opposition side, and people have not been here or there has been silence, an attempt has been made to ensure that does not embarrass anyone.

In this respect I commend the Leader of the House, who has risen on a couple of occasions, as I have, because people have not been here, and made an impromptu speech, often without knowing a huge amount about the subject matter before the Parliament, in order to ensure that the processes of the Parliament are not stymied and that it can do its job.

The Parliament is charged with the responsibility of examining these matters and no careful device or undertakings that are given or removed should prevent it from doing its job. Nor should the rules prevent that from occurring. If this resolution is not agreed to by the Parliament, the rules will artificially prevent that from occurring. Perhaps the Government will say to those people who have lost thousands of dollars that these are the rules and that is bad luck, as some people have said from time to time. However, there is something called fair play and equity, and having the courage to face detractors and put the argument on the record. That is all we are seeking.

The outcome of the debate on the Bill will probably not be any different. However, there should be at least an opportunity to examine those matters. At least the people affected should know that it has been given full scrutiny by this House. To the extent that the rules prevent that occurring it is a travesty. I therefore ask that this motion be carried. In seeking that, I do not think it is a reflection on the Deputy Speaker.

Mr Trenorden: What a stupid statement.

Mr BROWN: If the member for Avon, with his intelligence, wants to make a contribution, he should do that. The member for Avon sits there sniping away. He, of course, is a fine person who wants to see this place be accountable. He was the Chairman of the Public Accounts Committee when I was a member of that committee, whose vote - the ratio was 3:2 - meant that this Parliament would be prevented from scrutinising the contracts issued by government. The member for Avon did not want the premium accountability exercise of this Parliament examining the way the Government spent \$6b, yet he sits over on the other side and snipes away. He does not have the courage to stand up. If he has any courage, he should stand up and defend the minister. The member for Avon is a National Party member; he cannot give the minister too much support in another forum. However, the member for Avon should tell us why this is such a good thing for the Parliament and why this is such a great day for democracy in this country, because in my view it is not.

I hope that this motion is carried. If it is not, when other people complain about the procedures and the processes of this House being bogged down, they should look at themselves.

Mr MacLEAN: I oppose the motion. For a change, I will speak to the motion, because members opposite have not addressed it in more than a lip-service way. This is a motion of dissent from the Deputy Speaker's ruling, which is a serious matter. It should be treated in that way by the Opposition, which does not seem to understand what is going on. All the speeches by opposition members have been directed against the minister. There are other ways to deal with their discontent with the minister. Discontent with the minister should not be and cannot be reflected in a motion against the Deputy Speaker.

I will deal with the Deputy Speaker's actions. The minister asked for the third reading of the Bill and the Deputy Speaker called for the vote. If opposition members had been awake at that point, they may have noticed that the minister had not spoken. If they had been awake, they would have had the opportunity to raise a point of order with the Deputy Speaker. That would have provided the Deputy Speaker with the opportunity to use his discretion. However, because opposition members did not do that, I will not deal with that matter. When the Deputy Speaker called for the vote, opposition members had an opportunity to say no, again raise a point of order and ask for the Deputy Speaker to exercise his discretion. However, they did not do that. They allowed the minister to call for the third reading, with no action on their part.

Mr McGinty: There was no action on the minister's part either.

Mr MacLEAN: It was up to the Opposition.

Mr McGinty: There is an undertaking in *Hansard*. Read it.

Mr MacLEAN: I am talking about the member's discredited motion against the Deputy Speaker. Opposition members were asleep, and they did not notice that the minister had moved the third reading. They did not raise a point of order at that time. No-one said "No" when the vote was put. It was allowed to go through. The Deputy Speaker ruled. The Clerk stood and read the Bill for a third time. There was no commotion from the Opposition. It went through in silence. Because it went through in silence, the Opposition has no credibility - none. There are other ways for the Opposition to deal with its discontent with the minister. Moving a motion of dissent from the Deputy Speaker's ruling is not the way to do it. The Opposition has been discredited. It should have been awake. It had two opportunities to raise points of order or to vote against the third reading of the Bill. It did not do so. It was asleep. It dropped the ball again, as it normally does. The Opposition is hopeless. The only opposition the Government has most of the time is in *The West Australian*. I support you, Mr Deputy Speaker. I emphatically oppose this motion.

Question put and a division taken with the following result -

Ayes (15)

Ms Anwyl
Mr Brown
Mr Carpenter
Dr Edwards

Mr Grill
Mr Kobelke
Ms MacTiernan
Mr Marlborough

Mr McGinty
Ms McHale
Mr Riebeling
Mr Ripper

Mrs Roberts
Ms Warnock
Mr McGowan (*Teller*)

Noes (26)

Mr Ainsworth
Mr Baker
Mr Barnett
Mr Barron-Sullivan
Mr Bradshaw
Dr Constable
Mr Court

Mr Cowan
Mr Day
Dr Hames
Mrs Holmes
Mr Johnson
Mr Kierath
Mr MacLean

Mr Marshall
Mr Masters
Mr Minson
Mr Nicholls
Mrs Parker
Mr Pental

Mr Prince
Mr Shave
Mr Trenorden
Mr Tubby
Mrs van de Klashorst
Mr Osborne (*Teller*)

Pairs

Mr Cunningham
Dr Gallop
Mr Graham
Mr Thomas

Mrs Hodson-Thomas
Mr Board
Mrs Edwardes
Mr Omodei

Question (dissent from Deputy Speaker's ruling) thus negatived.

Point of Order

Mr McGINTY: I do not wish to delay the House, but it is important that the record be set straight. My recollection is that the Clerk had not completed reading the Real Estate Legislation (Fidelity Guarantee Funds) Amendment Bill for the third time when I rose, interrupted him and called a point of order. If that is the case, it might be appropriate if the third reading be done.

The DEPUTY SPEAKER: It has been confirmed that the Clerk had read the Bill for a third time.

BILLS - RETURNED

1. Acts Amendment (Police Immunity) Bill 1999.
2. Prisons Amendment Bill 1998.
3. Disability Services Amendment Bill 1999.

Bills returned from the Council without amendment.

HEALTH PROFESSIONALS (SPECIAL EVENTS EXEMPTION) BILL 1999

Second Reading

Resumed from 21 October.

MS McHALE (Thornlie) [4.30 pm]: First, I put on record that members on this side of the House support this legislation. However, I raise a number of concerns. I am sure the minister will be able to respond to and satisfy those concerns so the response is on the public record. I remind members what this Bill is about and put it in context. The Bill deals with overseas health professionals who usually accompany overseas sporting teams, although it is broader than sport; it can apply to any event. It could be a cultural event or some other event about which we might not yet think. It deals with health professionals such as medical practitioners, nurses, chiropractors, physiotherapists and other health professionals whose work is regulated by a Western Australian statute. These overseas health professionals would not be registered by one of the health professionals registration boards and, consequently, would not be able to practise in this State for very good reasons. Nevertheless, particularly next year with the Olympics, a number of sporting teams are coming to Western Australia to practise, acclimatise and prepare for the Olympics. Large teams will come with their own health professionals. The Bill is an enabling Bill to allow those health professionals to practise in this State. It is a generic Bill in that it can apply to future

events. However, each event that will occur sometime in the future must be declared a special event by the Minister for Health before such an exemption from the requirement to be registered can be achieved.

The second reading speech states that the Bill has the support of the various registration boards. Those boards which I rang indicated that they support the Bill. My understanding was that the Medical Board of WA was contacted recently - I am not sure whether it was at the time of drafting the Bill or at the second reading stage, but it has been consulted - and it supports the Bill. So, too, does Sports Medicine Australia, which is the body representing sporting health professionals. I contacted that body in the past few days to make sure it was happy with the Bill. It is quite happy for me to say that it supports the intent and content of the Bill.

A precedent for this Bill lies in a Bill which was debated in this House in 1985 when Western Australia was host to the America's Cup. That was cited as the Acts Amendment (America's Cup Defence and Special Events) Act. That Bill differs from this one in a number of instances. The primary difference is that that Bill was much more broad ranging in its application. It dealt, for instance, with matters like gambling and drinking; that is, lottery and licensing. It also had a component for the health professionals and amended the various health professional Acts. When Parliament was debating it, the health professionals were more concerned about whether we were extending drinking and gambling rather than the matter which we are debating today. The Bills differ to the extent that this Bill is very comprehensive and appears to clearly set out this matter, which could have some negative consequences for the State. However, the Bill appears to regulate that quite significantly. The other difference between the two Bills is that the 1985 Bill lapsed on 30 June 1987. It had a finite existence, probably because it was dealing with gambling and drinking rather than this matter. This Bill has an ongoing life. However, each event must be declared a significant event by the minister.

I have said that the Bill has the support of all the key stakeholders who might be affected by the Bill. That is a welcome situation. However, I will canvass quickly the concerns of the Pharmacy Guild of Australia and the Pharmaceutical Council of WA. I am aware that the minister has responded to the Pharmacy Guild, and I believe his response addresses the concerns that were raised by the Pharmacy Guild. However, I ask the minister to confirm in his response that the Pharmacy Guild's concerns have been addressed. I thank him and his department for sending me a copy of the correspondence. It is important to register for the public record that the Bill allows medical practitioners prescribing rights for drugs. The Bill recognises that doctors may need to prescribe drugs to visiting team members. For this to occur, the minister must give an authorisation to the individual health practitioner to issue that prescription. I understand that this will be an exception rather than the rule and is an authorisation that must be in addition to the initial authorisation to practise. Again, can the minister confirm that his understanding is that that will be the exception rather than the rule, because there may be concerns about the availability of drugs and whether health professionals and practitioners will have a good understanding of what is available within the Australian pharmaceutical context?

The main concern of the Pharmacy Guild was in relation to the wholesale purchase of drugs and whether that would lead to a loss of business by its pharmacy members.

The second concern was whether in relation to specific drugs the minister, through his department, has limited the number of pharmacists who might be able to deal with the prescriptions. Therefore, there could be a question of restricted trade. I would like the minister to comment on that. The Pharmacy Guild of Australia raised a number of concerns but the main two are the question of fixing the price at the wholesale level and dealing with particular pharmacists. The minister might comment on those concerns.

Clause 8 deals with the conditions and management of giving health professionals access to practise in the State. The key definition appears to be a health professional can practise here if there is a like-to-like health professional registered in the State. Essentially the Bill says visiting health professionals can lawfully provide a service if the service is provided by registered health professionals of the like profession. The obvious question is, how do those health professionals know what the comparable registered professional scope of practice is in Western Australia? Could we have a situation where a chiropractor in Canada does not have a like professional here but wishes to practise? How well do health professionals know what the comparable registered professional scope is and to what extent will that rigour be applied when an application is made by a health professional? Another concern is how a visiting health professional will know about our Poisons Act and what substances are lawfully or unlawfully able to be possessed, used and supplied in that profession. That question goes to what sort of education or guidance will be given to a health professional when he makes an application to practise in this State.

The decision making in the Bill is very much at the ministerial level and I cannot see any powers of delegation. Therefore, I ask whether it will literally be the minister who is making all these decisions. I know in practice the minister will receive recommendations but are there powers of delegation so the minister is not committing himself to being involved in the applications or exemptions from the conditions? What is the role of the Commissioner of Health in this decision making process? My other question is: Have the regulations been drafted at this stage? If not, when will we see them and what conditions are being considered or have been recommended to the minister?

My final comment relates to the lack of avenues of complaint. A visiting health professional cannot complain to a health professionals board in this State because he is not registered. However, if there is an event or an adverse incident, there is no avenue of complaint while the visiting team member is in the State. I do not believe the professional should go to the health professionals board because he is not registered but I wonder whether that area was considered.

There is a general view around - which I agree with - that the Bill is written in such a way as to do two things. The first is to allow health professionals to practise on team members and the second is to protect Western Australians from health professionals who may not be registered. They are sound purposes of the Bill. I conclude by saying once again that

members on this side of the House support the Bill. We will be watching to ensure that it works effectively and that it does what it is intended to do. It is a Bill of process rather than any sort of reform. It will enable sporting and other cultural events to operate effectively in this State. It will probably pan out that there will not be too many applications or exemptions, but we will monitor that. Before I sit down, I thank the staff of the Health Department who briefed me and who were very accommodating in dealing with my questions and providing the correspondence from the Pharmacy Guild. I thank the staff and the minister for that briefing.

MR MARSHALL (Dawesville - Parliamentary Secretary) [4.46 pm]: I thoroughly agree with the principle of this Bill because it is timely. The Olympic Games will be held from 15 September next year and, from the point of view of sport and recreation in Western Australia, we are trying to use our international sporting venues in Perth as training facilities for other countries from 1 to 10 September. The purpose is two-fold: First, bringing sporting people here gives our other sportspeople and the youngsters of this State a chance to see what the top sportspeople do in training so they can try to emulate them in the future, and, second, bringing sporting teams to Western Australia is an added incentive for tourism in this State.

Mr McGowan: How many countries are involved?

Mr MARSHALL: From 1 to 10 September -

Mr McGowan: Six countries?

Mr MARSHALL: I have not mentioned the countries yet; I got the member for Rockingham again. Between 1 and 10 September we will hold a festival of sport with competitions in badminton, hockey, soccer, basketball, water polo and volleyball. A number of countries have been invited and some have already accepted. It looks like Korea will field teams in badminton and, subject to the draw and whether Australia is in Korea's half for hockey - of which Korea is a champion in its own right - its men's and women's teams will play here. Spain, Italy, France and China have qualified for the basketball and look certain to come here. Kazakhstan has qualified for the water polo - it is a former Russian country which is now part of the Asian Olympic group. In volleyball we will have Italy, Yugoslavia, Greece and Australia. The Bill means that when these countries bring their sporting teams to Western Australia they can accommodate their own medical staff if they desire. They will want to bring their own sporting doctors, sports dieticians, physiotherapists and sports scientists. When they come here they will need to cope with our different weather conditions and maintain the diets to which they are accustomed. This legislation and its timing is of vital importance to the development of sport and recreation in our State. We are also inviting a number of countries to come to Western Australia to train.

Following the success of the World Track Cycling Championships at the Velodrome, people from a number of countries said as they left WA, "It was a pleasure to train in the Midland area. As isolated as it is for international sport, and how difficult it is for crowds to attend, it was a wonderful training area. We knew that bike riders would not be run down by vehicles." People could train in the fresh air in the Swan Valley, and they were staggered with the quality of the facilities available to them. Consequently, some people will train pre-Olympics in Perth, and they will bring their medical staff with them.

I support this timely Bill. Tommy Hoad and Sport International WA tirelessly work to bring groups to Perth. This benefits the State: First, it sets trends and sport role models for our young people to follow; second, international visitors see the magnificent facilities we have to offer; and, third, tourism blossoms as those who come to Western Australia to participate in sport tell everyone at home about this place, and this has a compounding effect.

MR MCGOWAN (Rockingham) [4.52 pm]: I join the member for Thornlie in expressing the Opposition's support for the Health Professionals (Special Events Exemption) Bill 1999. Sport and recreation is one of my portfolio responsibilities. This measure will overcome some problems which can arise when overseas sporting teams' medical staff deal with their concerns, which is particularly important when language difficulties arise. We should allow those staff to deal with those sports people. It is good that this is generic legislation, and will apply to future sporting contests and overseas teams visiting the State. The member for Willagee raises the question of cricketers. Are any cricketers coming to WA?

Mr Marshall: A cricket test will be held at the WACA, so the Pakistan team will be here.

Mr MCGOWAN: It is opportune that the parliamentary secretary raises that matter. An article in today's *The West Australian* dealing with the Pakistan cricket team reads -

All-rounder Azhar Mahmood will retain his place . . . He warmed up for the second test with an unusual drill in which he went into a net without a bat and had several team mates bowl fast short balls at him which he allowed to strike his arms and body.

I will be interested to hear from the Minister for Health whether he will take steps to ensure that such activity on the part of visiting teams will not take place so we will not have potential medical crises with foreign teams visiting our shores. That is a matter of substantial concern to the Opposition, and it needs consideration at length by the minister!

Mr Barnett: Pakistan is exempted from this Bill.

Mr MCGOWAN: If they will allow fast, short balls to be bowled at them without a bat, it is a matter of concern to the sporting public of this country. Some considerable deliberation is needed on that matter!

Mr Day: It sounds like a mental health issue.

Mr MCGOWAN: It probably is! The Opposition supports the Bill. I would appreciate it if the minister would address the serious issue I raise.

MR DAY (Darling Range - Minister for Health) [4.54 pm]: I thank opposition members for their support for the Bill. As I said by interjection, the issue raised by the member for Rockingham sounds more like a mental health issue than anything else. I do not pretend that this legislation will stop all masochistic behaviour by Pakistani cricketers or anyone else who visits Australia to play sport. If people are mad enough to face up to fast, short balls without a cricket bat, we cannot stop them.

Mr McGowan: The member for Alfred Cove is a masochist. What about him?

Mr DAY: The Bill will not permit or preclude any activity by the member for Alfred Cove. I thought we were discussing sporting activity, but that may be how the Opposition views that matter.

This Bill is modelled closely on an Act enacted in New South Wales, Queensland and Tasmania, and I understand it is intended to be enacted in all other jurisdictions of Australia. Some differences exist between our Bill and the New South Wales Act, and our Bill is generally stronger with tighter controls in a number of areas.

Consultation has occurred with a range of organisations during the preparation of the legislation, including the Medical Board - to answer the question of the member for Thornlie - the Australian Medical Association, the Australian Nursing Federation, the Chiropractors Registration Board, the Dental Board of WA, the Nurses Board, the Occupational Therapists Registration Board, the Podiatrists Registration Board, the Pharmaceutical Council, the Physiotherapist Registration Board and the Psychologists Board. Subsequent consultation occurred with the Dental Prosthetists Advisory Committee, the Radiological Council and the Optometrists Registration Board. Therefore, extensive consultation took place in the process of developing the legislation.

The concerns of the Pharmacy Guild of Australia, as outlined by the member for Thornlie, have been taken into account. It is correct that a separate authorisation will be needed for the prescription of drugs under the Poisons Act. Such authorisation will not be implicitly part of the granting of an exemption under the general power of exemption within the Bill. Separate authorisation will be necessary in order for drugs to be prescribed. Clear provisions are contained within the legislation for adequate controls so the prescription of drugs can occur in appropriate circumstances only.

With respect to the issue of the possibility of fixing prices which the Pharmacy Guild raised, there is no intention that the sale price of pharmaceuticals will be regulated by the legislation. That will not be the outcome. The Pharmacy Guild also raised concerns about the provision of pharmaceuticals being restricted to wholesalers. That provision is an exact replica of the New South Wales Act. We have followed that example. It is expected that we will deal with a relatively small number of people entering the State. The number of occasions on which such an exemption would apply will be relatively small; therefore, the number of occasions that pharmaceuticals are provided will be relatively small. No negative impact upon retail pharmacists will occur as a result of this legislation.

Clause 9(5) will apply conditions to any authorisation to allow prescription. That authorisation could provide for a pharmacist or pharmacists to be specified in the provision of such drugs, which is an important control to ensure that appropriate procedures are followed and people with appropriate expertise deal with the issues where necessary.

The member for Thornlie asked how visiting professionals would know the practices in which they can engage. Advice will be provided to the visiting professionals on the definitions which apply in our health practitioners' legislation. The two exceptions to that are the Nurses Act and the Medical Act in which specific definitions are not included, but general statements of advice will be given to visiting professionals about areas of practice permitted in this State. Regarding visiting professionals knowing the detail of the Poisons Act, general and more specific advice will be provided by the Health Department as necessary.

No powers of delegation by the minister are provided for in the Bill. However, the Minister for Health would take advice from the Health Department through the Commissioner of Health on the appropriate decisions to make. In most circumstances, that advice would be accepted, but it would be a matter of judgment for the minister. The Minister for Health is required to make decisions on a whole range of issues, often on the advice of the Health Department. No provision is made for visiting sports people to make complaints about treatment they receive. The Government believes that it is unnecessary as they can take up those issues, if necessary, in their own home countries. Generally speaking, they would not be accompanied by health professionals if they did not have confidence or trust in them. There is no immediate intention to draw up regulations under this legislation but, based on experience, regulations will be drawn up if they become necessary.

I thank the Opposition for its support for this Bill and its cooperation in getting it passed.

Question put and passed.

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

House adjourned at 5.01 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

MINISTER FOR SENIORS, REPORT ON TRIP TO SOUTH AFRICA

495. Mr CARPENTER to the Minister for Seniors:

- (1) With regard to the Minister's attendance at the IFA Third Global Conference on Ageing in Durban, South Africa, will the Minister explain why the report she submitted to the Ministry of Premier and Cabinet on the conference states that the Minister travelled between 17 and 23 October 1997, whereas the 'Report of Interstate and Overseas travel undertaken by Ministers, Members of Parliament and Officers on Official Business' for the three months ended 31 December 1997 states the duration of the trip as 16 to 24 October 1997?
- (2) What are the correct dates of the Minister's trip?

Mrs PARKER replied:

- (1)-(2) The Minister was in South Africa between 17 and 23 October 1997 to attend the IFA Third Global Conference on Ageing. The Minister left Perth for South Africa on 16 October 1997 and arrived back in Perth on 24 October 1997. A mistake was made on the report submitted to the Ministry of the Premier and Cabinet. The dates submitted in the 'Report of Interstate and Overseas travel undertaken by Ministers, Members of Parliament and Officers on Official Business' for the three months ending 31 December 1997 are the accurate dates.

ELLE MACPHERSON ADVERTISEMENTS, UNITED KINGDOM

624. Mr McGOWAN to the Parliamentary Secretary to the Minister for Tourism:

I refer to the Government's "Elle" tourism advertising campaign and ask -

- (a) how many television advertisements were run on United Kingdom television as part of this campaign;
- (b) on which channels were they run and at what times and on what dates;
- (c) in which cities and Counties did these TV advertisements run; and
- (d) what was the total cost of the UK part of this campaign?

Mr BRADSHAW replied:

- (a)-(b) I assume the member for Rockingham is referring to the most recent campaign in September 1999 as details on the earlier campaigns have previously been advised. The television spot times are tabled, which provide details on the number of spots, the channels, times and dates. [See paper No 394.]
- (c) The campaign was limited to London.
- (d) Total television media spend was 419 000 pounds.

ELLE MACPHERSON ADVERTISEMENTS, SOUTH AFRICA

632. Mr McGOWAN to the Parliamentary Secretary to the Minister for Tourism:

I refer to the Government's "Elle" tourism advertising campaign and ask -

- (a) how many television advertisements were run on South African television as part of this campaign;
- (b) on which channels were they run and at what times and on what dates;
- (c) in which cities and States did these TV advertisements run; and
- (d) what was the total cost of the South African part of this campaign?

Mr BRADSHAW replied:

- (a)-(d) South Africa is not a core market for Western Australia and as such the Elle television advertising campaign was not conducted there.

ELLE MACPHERSON ADVERTISEMENTS, NEW ZEALAND

633. Mr McGOWAN to the Parliamentary Secretary to the Minister for Tourism:

I refer to the Government's "Elle" tourism advertising campaign and ask -

- (a) how many television advertisements were run on New Zealand television as part of this campaign;
- (b) on which channels were they run and at what times and on what dates;
- (c) in which cities and Provinces did these TV advertisements run; and

(d) what was the total cost of the New Zealand part of this campaign?

Mr BRADSHAW replied:

(a)-(d) New Zealand is not a core market for Western Australia and as such the Elle television advertising campaign was not conducted there.

GOVERNMENT DEPARTMENTS AND AGENCIES, GRANTS, LOANS AND FINANCIAL ASSISTANCE

737. Mr RIEBELING to the Minister for the Environment; Labour Relations:

Will the Minister provide the following details of all grants, loans and any other form of financial assistance, offered within the Minister's portfolio -

- (a) the name of the financial assistance;
- (b) the purpose of the assistance;
- (c) the eligibility criteria for assistance;
- (d) the actual expenditure in -
 - (i) 1997-98;
 - (ii) 1998-99; and
- (e) the budgeted allocation in 1999-2000?

Mrs EDWARDES replied:

Department of Productivity and Labour Relations:

(a)-(e) Nil.

Department of the Registrar, Western Australian Industrial Relations Commission:

(a)-(e) Nil.

Botanic Gardens and Parks Authority:

(a)-(e) Nil.

WorkSafe Western Australia:

(a)-(e) [See paper No 395.]

Commissioner for Workplace Agreements:

(a)-(e) Nil.

Conservation and Land Management:

- (a)
 - 1. Minister for the Environment's Community Conservation Grants
 - 2. Kalgoorlie Boulder Urban Land Care Group Grant.
 - 3. Natural Heritage Trust Grants
- (b)
 - 1. Community conservation grants.
 - 2. Operating grant for Kalgoorlie Boulder Urban Land Care Group.
 - 3. CALM provides accounting services for Natural Heritage Trust grants in Western Australia
- (c)
 - 1. Applicants respond to an advertisement in the media.
 - 2. Ongoing annual grant.
 - 3. The criteria are not decided by the Minister for the Environment. The Commonwealth Government sets the criteria for the National Heritage Trust. CALM provides accounting services only.
- (d)
 - (i)
 - 1. Nil by CALM. In 1997/98 it was the responsibility of the Ministry of the Premier and Cabinet.
 - 2. \$46,000
 - 3. \$3,738,000
 - (ii)
 - 1. \$162,800
 - 2. \$46,000
 - 3. \$882,828
- (e)
 - 1. \$165,000
 - 2. \$46,000
 - 3. \$200,000

WorkCover WA:

(a) Grant

(b) Establishment of the Manual Handling Resource Centre facility.

(c) Under Sections 100(b) and (c) of the Workers' Compensation and Rehabilitation Act.

(d)

- (i) \$100 000
- (ii) Nil.

(e) No budget allocation made.

Perth Zoo:

(a)-(e) Nil.

Department of Environmental Protection:
Ministerial Grants to Integrated Catchment Management Groups:

- (a) Ministerial Catchment Grants to Integrated Catchment Management (ICM) Groups.
- (b) The provision of assistance to Integrated Catchment Management Groups in respect of carrying out projects in relation to management of natural resources in the State as a way of implementing State policy on integrated catchment management..
- (c) Criteria and activities suitable for allocation of grants:
 - Priority will be given to new or recently established ICM groups in the Swan region.
 - ICM groups should have representation from community groups, relevant State government agencies and local government and play a co-ordination role for natural resource management in their catchment.
 - Priority will be given to administrative support including initial establishment costs, local publicity, establishment of display and promotional materials relevant to the group's issues, incorporation costs, general secretarial costs, postage, telephone etc.
 - Costs of initial activities such as bus tour of catchment, public meeting, public forum, local awareness raising or other activities.
 - ICM group activities which speed the implementation of ICM in the Swan region
 - ICM group development
 - Acquittal (including lodging of required reports) on any earlier ICM group grant from DEP
 - Equity issues
 - Other grants received by the group will be taken into account.

- (d) 1997 - 1998 \$20,000
- 1998 - 1999 \$20,000

- (e) 1999 - 2000 \$20,000

NATIONAL YOUTH PARLIAMENT GRANT

- (a) National Youth Parliament Grant.
- (b) To assist four students to attend the National Youth Parliament in Canberra in September 1999.
- (c) All eligible students received equal assistance.
- (d) (i)-(ii) Nil.
- (e) \$250

REGIONAL STATE OF THE ENVIRONMENT REPORTING

- (a) Regional State of the Environment Reporting.
- (b) To assist in the preparation of regional State of Environment Reports.
- (c) Applications treated on their merits.
- (d) (i) Nil.
- (ii) \$3000
- (e) Nil.

WASTE MANAGEMENT AND RECYCLING FUND

- (a) The Waste Management and Recycling Fund.
- (b) The objectives of the Fund are:
 - To encourage the conservation of resources and energy through waste reduction and recycling.
 - 1) To encourage the conservation of resources and energy through waste reduction and recycling.
 - 2) To promote, support and encourage viable alternatives to landfill disposal of waste.
 - 3) To encourage the development of appropriate waste management, waste reduction and recycling infrastructure and markets.
 - 4) To support and encourage applied research and development into waste management, waste reduction and recycling which assists in meeting the State's objectives.
 - 5) To ensure that Western Australians have access to appropriate waste management, waste reduction and recycling services.
 - 6) To provide for an educated and aware community to assist in achieving these ends.
 - 7) To promote State and regional co-ordination of recycling and waste reduction.
- (c) To be considered for funding, applications must generally fit within one or more of the following Funded Programs. Eligibility criteria are specific to each Program.

Waste Classification and Information

Objective: To ensure strategic decisions concerning waste management are based on consistent, accurate and timely information regarding the waste stream.

Eligibility: Local and regional (local) governments, industry associations, educational and other institutions, community and service organisations.

Description: Organisations, which require detailed information about their waste stream, may apply for assistance in conducting waste audits. The scheme involves wastes being weighed and classified as they enter all major landfills. The system will also cover collection and reprocessing of recyclable materials.

Cleaner Production and Industrial Waste Reduction

Objective: To encourage manufacturing and service industry to minimise their environmental impact and reduce wastes by adopting appropriate designs, practices and technologies.

Eligibility: Small to medium (up to 50 employees) institutions.

Description: Institutions may apply for a grant towards the cost of a cleaner production audit carried out by a specialist consultant of the company's choice. No grants will be awarded in respect of audits performed in-house.

Recycling and Waste Processing Industry Development

Objective: To ensure that Western Australia's access to industrial capacity to process recovered materials and use recycled feedstock is consistent with supply generated by recycling and recovery services.

Eligibility: Recycling and waste processing industry; Manufacturing, construction and service industry; and Industry and Government either separately or combined.

Description: Grants may be made as a contribution towards project costs for the development of essential recycling industry infrastructures and assistance with research and development. Eligible projects include:

business plans;
marketing plans;
advertising campaigns;
market feasibility studies;
trial shipments of materials overseas or interstate;
trial production runs; and
in service trials.

Regional Recycling Program

Objective: To ensure that West Australians living beyond the metropolitan area have access to recycling services appropriate to local conditions.

Eligibility: Non-metropolitan local and regional (local) governments and country community based organisations.

Description: Grants may be made as a contribution towards project costs for country institutions for assessing and developing the most environmentally and economically appropriate methods of waste reduction and recycling. Eligible projects include:

regional waste management and recycling plans;
assistance in improving the marketability and transport economics of recyclables;
acquisition of essential recycling infrastructure;
community education programs; and
assistance towards the regional coordination of recycling.

Public Education and Promotion

Objective: To ensure that the Western Australian community understands the issues surrounding waste management and that the community can make informed choices and decisions about waste generation, waste management, waste reduction and recycling:

Eligibility: Recycling and waste processing industry, industry associations, local government (particularly regional groupings) and educational institutions. Other institutions, service groups and community groups providing information and education.

Description: Grants may be made as a contribution towards project costs. Eligible projects include:

development of technical expertise;
targeted educational activities;
advertising campaigns;
publications and flyers;
promotional displays and materials; and
seminars and community consultation.

State Coordination of Local Government Recycling and Waste Reduction

Objective: To assist local government associations with representation in coordinating state wide, local government, recycling and waste reduction initiatives.

Eligibility: Local government associations with state wide representation.

Description: Grants may be made as a contribution towards project costs for coordinating recycling and waste reduction initiatives.

(d) The actual expenditure in grant funding from the Fund was:

- (i) 1997-98 Nil.
- (ii) 1998-99 \$136,925.

- (e) The budgeted allocation from the Fund for approval in 1999/2000 is \$2,944,266

GOVERNMENT DEPARTMENTS AND AGENCIES, CONSULTANTS' REPORTS

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

- (1) Since 1 January 1999, what reports has each department and agency under the Minister's control received from consultants employed by it?
- (2) What is the title of each report?
- (3) In brief terms, what is the subject of each report?
- (4) What recommendations are contained in each report?

Dr HAMES replied:

- (1)-(4) The member would be aware that six monthly reports are tabled in Parliament that provide information on consultants engaged by Government agencies. The member should access these reports to obtain information on consultants.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXPENDITURE

986. Mr RIEBELING to the Minister for Housing; Aboriginal Affairs; Water Resources:

What was the total expenditure for each of the Departments within the Minister's responsibility for the financial year 1998-99 on -

- (a) consultancies;
- (b) contracts and services; and
- (c) overseas travel and accommodation?

Dr HAMES replied:

- (a) Six monthly reports providing information on consultants engaged by Government agencies are tabled in Parliament. The member should access these reports to obtain details of total expenditure on consultants.
- (b) Annual reports tabled in Parliament in accordance with the Financial Administration and Audit Act contain the agency's operating statement, which discloses a total incurred on administrative expenses including contracts and services. The member should access these reports to obtain information on costs of services.
- (c) Quarterly reports detailing overseas and interstate travel undertaken by Ministers and government officials are tabled in Parliament. The member should access these reports to obtain information on total expenditure for overseas travel and accommodation.

CHANNEL 31

1066. Mr BROWN to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) Is the Minister aware of the service provided by Channel 31 in terms of it being a completely local service and providing opportunities for local talent, ideas and Western Australian content?
- (2) Is the Minister aware that Channel 31 programs reach a diverse range of specialist audiences nearly impossible to reach through other media?
- (3) If so, what efforts has the Minister and/or the Minister's departments/agencies made to place Government advertising or paid community announcements with Channel 31?
- (4) Since it commenced broadcasting four months ago, how much Government advertising and paid community announcements have been allocated to Channel 31?

Dr HAMES replied:

- (1)-(3) A few months after Channel 31 commenced on air, a comprehensive dossier on its activities was requested by Government and distributed to each Ministerial office for information. Through the publication "Preferred Position", every Government Department was advised of the Channel's services and that it should consider making use of them.
- (4) The State Government's master media agency Media Decisions is responsible for purchasing all advertising for Government Departments and advises that, to date, there has been no expenditure on Channel 31 by Departments under the Minister's responsibility. However, it has advised that it has held discussions with a number of Government agencies regarding the possible future inclusion of Channel 31 in up-coming media schedules.

CHANNEL 31

1069. Mr BROWN to the Minister representing the Minister for Finance:

- (1) Is the Minister aware of the service provided by Channel 31 in terms of it being a completely local service and providing opportunities for local talent, ideas and Western Australian content?

- (2) Is the Minister aware that Channel 31 programs reach a diverse range of specialist audiences nearly impossible to reach through other media?
- (3) If so, what efforts has the Minister and/or the Minister's departments/agencies made to place Government advertising or paid community announcements with Channel 31?
- (4) Since it commenced broadcasting four months ago, how much Government advertising and paid community announcements have been allocated to Channel 31?

Mr COURT replied:

The Minister for Finance has provided the following response:

- (1)-(3) A few months after Channel 31 commenced on air, a comprehensive dossier on its activities was requested by Government and distributed to each Ministerial office for information. Through the publication "Preferred Position", every Government Department was advised of the Channel's services and that it should consider making use of them.
- (4) The State Government's master media agency Media Decisions is responsible for purchasing all advertising for Government Departments and advises that, to date, there has been no expenditure on Channel 31 by Departments under the Minister's responsibility. However, it has advised that it has held discussions with a number of Government agencies regarding the possible future inclusion of Channel 31 in up-coming media schedules.

CHANNEL 31

1070. Mr BROWN to the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

- (1) Is the Minister aware of the service provided by Channel 31 in terms of it being a completely local service and providing opportunities for local talent, ideas and Western Australian content?
- (2) Is the Minister aware that Channel 31 programs reach a diverse range of specialist audiences nearly impossible to reach through other media?
- (3) If so, what efforts has the Minister and/or the Minister's departments/agencies made to place Government advertising or paid community announcements with Channel 31?
- (4) Since it commenced broadcasting four months ago, how much Government advertising and paid community announcements have been allocated to Channel 31?

Mr BOARD replied:

I am advised that:

- (1)-(3) A few months after Channel 31 commenced on air, a comprehensive dossier on its activities was requested by Government and distributed to each Ministerial office for information. Through the publication "Preferred Position", every Government department was advised of the Channel's services and that it should consider making use of them. CAMS supported the establishment of Channel 31 by pre-purchasing 501 hours of airtime (cost of \$210,000). Department of Training has taken up 400 hours of this for broadcasting adult training courses (over 80 hours to air so far). CAMS is managing the contract and actively seeking involvement of other government departments for the other hours. The Premier's Awards and a Small Business Development program have been shown on Channel 31. Other government departments showing interest are EDWA, Police Department and Ministry of Fair Trading.
- (4) The State Government's master media agency Media Decisions is responsible for purchasing all advertising for Government Departments and advises that, to date, there has been no expenditure on Channel 31 by departments under the Minister's responsibility. However, it has advised that it has held discussions with a number of Government agencies regarding the possible future inclusion of Channel 31 in upcoming media schedules.

CHANNEL 31

1071. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

- (1) Is the Minister aware of the service provided by Channel 31 in terms of it being a completely local service and providing opportunities for local talent, ideas and Western Australian content?
- (2) Is the Minister aware that Channel 31 programs reach a diverse range of specialist audiences nearly impossible to reach through other media?
- (3) If so, what efforts has the Minister and/or the Minister's departments/agencies made to place Government advertising or paid community announcements with Channel 31?
- (4) Since it commenced broadcasting four months ago, how much Government advertising and paid community announcements have been allocated to Channel 31?

Mr COWAN replied:

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

(1)-(4) I refer the member to my answer to Question No 1069.

GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

1167. Mr BROWN to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) How many contracts of \$50,000 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 August and 30 September 1999?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract has been entered into?
- (4) What is the nature of the work or service required by the contract?
- (5) What is the completion date of each contract?

Dr HAMES replied:

Aboriginal Affairs Department

- (1) Nil.
- (2)-(5) Not applicable.

Ministry of Housing

- (1)-(5) Ministry of Housing has let a number of contracts above \$50,000.00 during the time specified in the question. It is not practical for the department to commit the resources required to answer the question in its current form. If the member has a question on a specific contract I would be pleased to provide an answer.

Office of Water Regulation

- (1) Nil.
- (2)-(5) Not applicable.

Water and Rivers Commission

- (1) Two.
- (2)
 - (a) \$694,297.00.
 - (b) \$189,648.00 per bore average.
- (3)
 - (a) BOC Gases (Australia) Pty Ltd.
 - (b) Bunbury Drilling Company.
- (4)
 - (a) Oxygenation of Canning River for a three year period.
 - (b) Carnarvon Artesian Basin Rehabilitation Project.
- (5)
 - (a) 31 December 2002.
 - (b) 31 December 2000.

Water Corporation

- (1) 48.
- (2) Commercial in confidence.
- (3)-(5) [See paper No 396.]

TOWN OF BASSENDEAN AND EAST PERTH DEVELOPMENT AUTHORITY, PROSECUTION

1223. Mr BROWN to the Minister for Aboriginal Affairs:

- (1) Did the Aboriginal Cultural Materials Committee recommend action be taken to prosecute the -
 - (a) Town of Bassendean; and
 - (b) East Perth Development Authority?
- (2) Was the Town of Bassendean prosecuted?
- (3) If so why?
- (4) Was the East Perth Development Authority prosecuted?
- (5) If so why?
- (6) If not, why not?

Dr HAMES replied:

- (1)
 - (a) Yes.
 - (b) No.
- (2) Yes.
- (3) Disturbance of an Aboriginal site at Success Hill during the course of drilling to install replacement bores to water the reserve.

- (4) No.
- (5) Not applicable.
- (6) When the matter first came to the attention of the Aboriginal Cultural Material Committee (ACMC), the Committee requested the Minister to initiate a prosecution on the basis that Bennett House, which was a listed Aboriginal site, had been demolished without a Section 18 application having been lodged. Further to this action the Committee reconsidered the matter at a later meeting and was advised that the land had been exchanged for another lot of greater value that is to be used for the benefit of the Aboriginal community. The Committee was also advised that this decision was the subject of a public meeting in January 1996 involving representation from the Aboriginal community. The meeting concluded that, as the building had been demolished, the most satisfactory manner in which the situation could be addressed would be for the ACMC to receive an apology from the Aboriginal Lands Trust (ALT). An apology from the ALT was tabled at the April 1999 meeting.

HERITAGE, WESTERN PACIFIC CONSULTING

1354. Mr RIPPER to the Minister for Heritage:

- (1) With reference to question on notice No. 716 of Thursday, 16 September 1999, has the company Western Pacific Consulting provided any form of service for the Heritage Council of Western Australia?
- (2) If yes -
 - (a) what was the nature of the service;
 - (b) when was the service provided; and
 - (c) what was the cost of the service?

Mr KIERATH replied:

- (1) Yes.
- (2)
 - (a)
 - (i) Training of 2 officers to meet State Supply Commission requirements in "Operational Purchasing" and "The Purchasing Environment".
 - (ii) Training of 2 officers in "Contracting for Consultancy Services".
 - (b)
 - (i) 17 November 1998 to 19 November 1998.
 - (ii) 2 February 1996 and 5 May 1996.
 - (c)
 - (i) \$710
 - (ii) \$300

QUESTIONS WITHOUT NOTICE

JOONDALUP HEALTH CAMPUS, BUDGET ALLOCATION

458. Ms McHALE to the Minister for Health:

Two days ago the minister informed Parliament that the Joondalup Health Campus had spent only its budgeted allocation of \$26m for 1997-98. However, in the explanatory memorandum to Appropriation (Consolidated Fund) Bill (No. 3) 1999, the Premier stated that an additional \$13.9m had been injected into the operating costs of the Joondalup hospital. Did the minister, therefore, intentionally mislead Parliament in order to hide the true cost of this privatisation model, or is he being hoodwinked by the Metropolitan Health Service Board?

Mr DAY replied:

The question to which the member refers was a question on notice, and I do not have it in front of me. I would need to look at it again. Certainly there has been a substantial increase in the allocation to the Joondalup Health Campus for this financial year to enable that hospital to provide more operations and activity for people in the rapidly growing northern suburbs. On the issue to which the member is referring, I will get a copy of the question on notice and look at that in more detail.

MEGAFAUNA, RELOCATION LEVY

459. Mr MacLEAN to the Minister for Planning:

Does the minister support, in principle, a proposal to levy land developers for the cost of relocation of megafauna, such as kangaroos, displaced by the destruction of their habitat during clearing operations?

Mr KIERATH replied:

I thank the member for some notice of this question. In terms of the levy, the answer is no. I am advised that such a levy would be difficult to apply equitably and would have debatable results. When relocation issues arise, developers have undertaken these measures as either part of the environmental conditions or in agreement with conservation authorities. I

have a lot of sympathy for the idea of relocating both fauna and flora from areas that are being developed. I have a strong personal interest in that area and would like to do anything I can to encourage it. However, I do not think the right vehicle is a levy.

METROPOLITAN HOSPITALS, REDUNDANCIES

460. Ms McHALE to the Minister for Health:

- (1) Can the minister confirm that Princess Margaret Hospital for Children-King Edward Memorial Hospital for Women will have to find more than 85 redundancies to meet its budget for 1999-2000?
- (2) Can the minister reveal how many redundancies Royal Perth, Fremantle and Sir Charles Gairdner Hospitals will have to find in order to meet their budgets?

Mr DAY replied:

- (1)-(2) I thank the member for some notice of this question. I cannot confirm whether the projection made by the member is correct, because the Metropolitan Health Service Board is looking at a range of staff reductions in the corporate and administrative support areas to maximise the amount of resources which are put into clinical treatment areas. The reductions which will occur through the redundancy scheme which has been announced have not been determined so far on a hospital-by-hospital basis.

ARENA JOONDALUP, AQUATIC CENTRE

461. Mr BAKER to the Parliamentary Secretary representing the Minister for Sport and Recreation:

I understand that there have been unforeseeable delays in the completion of the new aquatic centre at Arena Joondalup. Can the minister report on the nature of these delays and what steps have been taken to remedy them?

Mr MARSHALL replied:

I thank the member for some notice of this question. The member for Joondalup is renowned for being active in his electorate. The original completion date for the construction of the aquatic centre at Arena Joondalup was 15 December 1999. Delays have been experienced with the necessity to redesign the holding down anchors for the structural steelwork due to unforeseen problems associated with the ground soil conditions. Those problems have been overcome and the Western Australian Sports Centre Trust is working closely with the architects and the building contractor to minimise the impact of these delays. Wet weather, too, has caused further delays. The revised completion date now is the first week of March 2000.

KWINANA MOTOR SPORT COMPLEX

462. Mr MARLBOROUGH to the Premier:

I refer to the Premier's refusal to meet the Kwinana Industries Council and local residents over their concerns about the proposed site for the motorplex complex in Kwinana.

- (1) Has the Premier recently met with the proponents of the motorplex complex?
- (2) Has the Government given any guarantees, undertakings or commitments to the proponents of this project?
- (3) If so, what guarantees, undertakings or commitments have been given?
- (4) Why is the Premier so dismissive of concerns about the issues of societal risk and encroachment on industrial land when his Minister for Resources Development is apparently very concerned about these issues?

Mr COURT replied:

- (1)-(4) I am not dismissive of any concerns. I have never refused to meet that industry council.

Ms MacTiernan: They have been trying since February.

Mr COURT: If the member for Peel asks the members of that industry council, they will tell him that I have never refused to meet them.

Ms MacTiernan: Will you meet with them? Will you give us an undertaking now that you will meet with them?

Mr COURT: I will give members opposite an undertaking that I will meet with them at four o'clock this afternoon. However, it is appropriate that they meet the ministers who have had direct responsibility for this issue. I met the speedway people about three weeks ago.

KWINANA MOTOR SPORT COMPLEX

463. Mr MARLBOROUGH to the Premier:

As a supplementary question - I am delighted the Premier is meeting them at four o'clock and I am sure they are as well - is the Premier aware that the Chamber of Commerce and Industry of Western Australia has today publicly criticised the proposed site, which it says will compromise future industrial development and pose a major safety risk to spectators? While the Premier is answering that question, he might like to tell us whether he has given any guarantees to the proponents, which is the part in the last question that he did not answer.

Mr COURT replied:

Anything to do with that complex is public. The member knows that we want to find a site for that development in the metropolitan area, and we are working up that site. I am not aware of what the Chamber of Commerce and Industry has said. Any development in that area must meet all of the -

Mr Ripper: Are you still determined to go ahead with that site?

Mr COURT: Any development in that area must get all of the proper approvals and, subject to those approvals -

Ms MacTiernan: Will it be like Global Dance, where you told them knock, knock; wink, wink; nudge, nudge?

Mr COURT: With regard to the risks in that area, there are a number of industries in that area and a number of people live in that area. The member for Peel represents that area. I do not see why the member is so opposed to a facility of this type going into that area.

ELECTIVE SURGERY, WAITING LISTS**464. Mr BLOFFWITCH to the Minister for Health:**

Can the minister inform the House of the steps that are being taken by the Government to ensure that people who live in regional areas are not required to travel to Perth for elective surgery procedures?

Mr DAY replied:

I thank the member for some notice of this question. I am pleased to say that as a result of the allocation of \$125m over five years to enable an increased amount of elective surgery to be performed in our public hospitals, good progress is being made in increasing the amount of surgery which is being provided. That is certainly having beneficial effects for people in remote and rural parts of Western Australia. When I was in Derby a couple of weeks ago, I was pleased to announce that because of the additional funding that had been provided treatment would be available at Derby Regional Hospital and Broome District Hospital for people from the Kimberley region who would otherwise have had to wait longer or travel to Perth for treatment. I was also pleased to announce yesterday that through the allocation of \$20 000 out of that pool of funds, 12 children will be provided with their surgery at Kalgoorlie Regional Hospital sooner than would otherwise have been the case, and that is very good for those children and their families in the goldfields of Western Australia. All of this activity is being coordinated by the staff of the Central Wait List Bureau, and I am very appreciative of the substantial efforts they are making to help people who are waiting for elective surgery.

While we are talking about waiting lists, I am also pleased to say that the number of people on the waiting list for elective surgery as at the end of October - 11 531 - is the lowest that it has been in Western Australia since February 1996. The median waiting time has also reduced substantially, with the time now being about 5.7 months, which is substantially lower than the median waiting time in January of this year of 8.1 months. We are making very good progress in providing elective surgery for people in Western Australia.

The SPEAKER: Order! Before I give the call to the member for Rockingham, I acknowledge the presence in the Speaker's Gallery of a delegation which is involved in a political exchange group, the American Council of Young Policial Leaders. Many members met them the other evening. I guess they are having a look at a different system. Welcome.

[Applause.]

KWINANA MOTOR SPORT COMPLEX**465. Mr McGOWAN to the Minister for Planning:**

- (1) Is the minister aware that the Information Commissioner has directed the Ministry for Planning to release the societal risk report on the proposed Kwinana motor sport complex prepared by Environmental Risk Solutions?
- (2) Does the minister accept the Information Commissioner's finding; and, if so, will he table a copy of this report?
- (3) If not, why not?

Mr KIERATH replied:

- (1)-(2) It is not up to me to accept or reject the Information Commissioner's decision. It is not aimed at me. It is aimed at the Ministry for Planning.

Mr Ripper: Are you not responsible for the Ministry for Planning?

Mr KIERATH: I am responsible for it. The decision is for the Ministry for Planning, which has until next Monday to decide whether it will appeal that decision.

Mr McGowan: You are making the decision next Monday!

Mr KIERATH: I do not believe in interfering in due process. I am happy for due process to take its proper course. Unlike members opposite when in government, who might well have liked to intervene and interfere in due process, we on this side of the House do not do those sorts of things, if for no other reason than we have learnt from their mistakes and are anxious not to repeat the mistakes that members opposite made when in government. It is a decision for the Ministry for Planning,

and it has two options: Release the report, or lodge an appeal. As I understand it, it has until Monday to do that. I believe it will do the right thing, and when it has considered its options, I am sure the member will be the first to know about it.

KWINANA MOTOR SPORT COMPLEX

466. Mr McGOWAN to the Minister for Planning:

I ask a supplementary question. What is this report about that the minister is trying to hide from this Parliament?

Mr KIERATH replied:

I am not trying to hide this report from this Parliament. I am aware of the report, and I have been aware of it for a long time, and I do not think it is a report with a great deal of credit.

TOP TOURISM TOWN AWARD, DUNSBOROUGH

467. Mr MASTERS to the Parliamentary Secretary to the Minister for Tourism:

Can the Parliamentary Secretary outline to the House which Western Australian town - which incidentally is located in the electorate of Vasse - was the recent winner of the Top Tourism Town award, the value of that award, and how the funds are intended to be spent?

Mr BRADSHAW replied:

I have great pleasure in responding to that question from the member for Vasse. The Minister for Tourism recently announced Dunsborough as the 1999 winner of the Top Tourism Town award, awarding the town \$30 000 in prize money. I know from my experience earlier in the year when I opened the dive training tank in Dunsborough that it is a town which is promoting tourism as a key element in creating employment. Dunsborough won that award against other state finalists, including Albany, Busselton, Collie, Margaret River, Kojonup and Kununurra. The judging panel considered Dunsborough's submission and demonstrated commitment to tourism to be outstanding. Three commendation awards of \$5 000 were awarded to Kojonup, Kununurra and Busselton, and winners will use that money to continue tourism capital works activities. A total prize money pool of \$50 000 has been committed by the State Government and will be an ongoing contribution to these worthwhile awards administered by the Country Tourism Association of Western Australia. The prize money is part of the State Government's \$5m tourism development fund. Winnings are required to be spent on tourism capital works within the winning town. Dunsborough will use the prize money to establish features and amenities on the Dunsborough foreshore which will attract and retain visitors. This will include a children's playground, barbecues, picnic tables, lighting, shade structures and landscaping. Previous winners, including Bunbury in 1998 and Busselton in both 1997 and 1996, have found the increased profile and prize money to be great rewards for their efforts.

PROSTITUTION, CHILDREN UNDER 18

468. Mr CARPENTER to the Minister for Family and Children's Services:

I refer to the minister's media release of 8 November which states that Family and Children's Services acts on every report of children working as prostitutes in Western Australia and ask -

- (1) Approximately how many such reports has the minister's department received this year?
- (2) Approximately how many children does the department know of who are working as prostitutes in Western Australia?

Mrs PARKER replied:

- (1)-(2) I thank the member for the question, and I received notice of a similar question to be asked in the other place on Tuesday, but I understand it was not asked. Family and Children's Services acts on every report of children working as prostitutes. The department of course relies on the Police Service to refer to it any young person under the age of 18 found working as a prostitute. As I said I am advised that the department acts on every one of those reports. After reading a media report about the problem recently, I asked for an update after I had become aware of one case with which we had been working earlier in the year, and my most recent advice from the department was that a check had been made across all of the zones in the metropolitan area two weeks ago. The advice was that two referrals had been received in recent months. The department acted on both of those. A wide range of government and non-government organisations in the inner city-Northbridge area have a responsibility to work together to provide an appropriate response to at risk children that circumstance. I have outlined a specific initiative at our drug strategy today. We will be carrying out a feasibility study and putting out a discussion document for public comment in order to look at better ways in which we can respond more effectively to juveniles who are engaged in extreme, at risk behaviour because of their drug addiction.

PROSTITUTION, JUVENILES

469. Mr CARPENTER to the Minister for Family and Children's Services:

Does the minister believe Dr George O'Neil and former brothel madam Lisa Coyle who say numerous young girls, some as young as 13 years, are working as prostitutes, or are these two people, like the minister, simply making it up as they go along?

Mrs PARKER replied:

As I have said, the department relies on the Police Service to pass on reports of juveniles working as prostitutes. My most recent check in the past two weeks has found that we have had two referred to us and we have acted on both of those.

BARRACK SQUARE, HOTEL PROPOSAL

470. Dr CONSTABLE to the Premier:

- (1) Is the Premier aware of a proposal for a hotel to be constructed within close proximity to the Barrack Square development?
- (2) If yes, who is the proponent?
- (3) Is the Premier in favour of this proposal?

Mr COURT replied:

- (1) I am aware.
- (2) I cannot tell the member who are the proponents.

Mr Marlborough: That is all we need - drunken bellringers! Can you imagine the cacophony of sound with drunken bellringers in Richard's belltower?

Mr COURT: The proponents would have to have double glazing!

I am not aware of who the proponents are but I can find out easily enough.

- (3) I would have thought it would be very difficult to put anything but a small operation there. It would be up to the planning approvals of the Swan River Trust and other agencies. As I understand it, they have started the process for approvals.

Dr Constable: Who are "they"?

Mr COURT: I have said I cannot tell the member the name, but I can find out this afternoon. I think the name has been in the Press.

Ms MacTiernan: You cannot tell us who it is because it is too embarrassing.

Mr COURT: It has been in the Press. I will get that information for the member.

SEWERAGE, DAWESVILLE

471. Mr MARSHALL to the Minister for Water Resources:

Sewerage sections of my Dawesville electorate area have been scheduled for some time now.

- (1) What sections of my Dawesville electorate have been sewered?
- (2) What sewerage is ready to commence in the next six months?
- (3) What sections can be expected for sewerage late in the year 2000?

Dr HAMES replied:

- (1)-(3) As the House will be aware, this is part of the Government's \$800m infill sewerage program over 10 years which is providing reticulated sewerage to areas of Western Australia which have had septic tank systems in place since the 1950s and 1960s. When this program started, that was almost half of the areas in Perth and the cities and towns in Western Australia. In the member's electorate a lot of work has been done to provide infill sewerage, as it should because of the difficulty in his area of a lot of wetlands and high conservation areas and the great importance of providing infill sewerage. I can report three areas to the member. First, the Falcon 1G area was completed in 1999 at a cost of \$2.32m and provided sewerage for approximately 188 lots. Second, a contract for \$1.377m for Falcon 2A region was awarded on 5 October of this year, so that was very recent, and that is in addition to the \$500 000 which was previously expended on the investigation and design. That will provide sewerage connection to about a further 260 lots. Third, the Mandurah 47K project is estimated to cost \$2.092m and will service another 276 lots and is expected to commence in the financial year 2000-01.

MFA FINANCE PTY LTD

472. Mr McGINTY to the Minister for Fair Trading:

I refer to the minister's actions in tabling a letter from MFA Finance Pty Ltd in this place yesterday in response to my allegations of its fraudulent activities, which have been referred to the fraud squad.

- (1) Does the minister see any conflict of interest in his leaping to the defence of finance brokers who are ripping off elderly investors?
- (2) Does the minister see it as his role to defend all shonky finance brokers?

- (3) What action has the minister taken, other than to act as the defence counsel for MFA Finance, to have its conduct properly investigated by his department?

Mr SHAVE replied:

- (1)-(3) I thank the member for the question. I want to make it very clear that the Government has a great deal of concern for people who have had the misfortune of losing money in business investments. I think that clarifies the first part of the question.

Mr Ripper: It proves that this Government has a blind spot when it comes to conflict of interest.

Mr SHAVE: It is not a blind spot at all. The member for Fremantle has made serious allegations by referring to people being involved in criminal conspiracy. The people involved have responded. I tabled the letter yesterday. I am sure that the Commissioner of Police and others will take the appropriate action to investigate the allegations. Now that the member for Fremantle has raised the issue again in this place, I would welcome the opportunity to join him outside this Parliament when the Parliament is not sitting so that he might make those allegations again publicly instead of hiding in this coward's castle. I would welcome the member for Fremantle's continuing to persist with this line of accusation when not shielding himself in this place. It is time that he walked out of this place and made the accusations outside.

MFA FINANCE PTY LTD

473. Mr McGINTY to the Minister for Fair Trading:

As a supplementary question, has the minister taken any action in his department, such as referring this matter to the Finance Brokers Supervisory Board?

Mr SHAVE replied:

My officers are in the process of taking appropriate action with regard to this matter. If it is proven that the allegations that the member for Fremantle has made are incorrect or false, I expect the member for Fremantle to show the decency of personally apologising to the people involved, unlike when he has made accusations which have been disproved in other areas, such as Wanneroo.

Several members interjected.

The SPEAKER: Order! The member for Hillarys wants to ask a question.

JOBWORKS

474. Mr JOHNSON to the Minister for Employment and Training:

Although Western Australia has had an enviable record in the past six years of reducing unemployment, there is still concern in the community that disadvantaged people may be missing out on this jobs bonanza. Can the minister inform the House of the results of any employment programs specifically targeting the disadvantaged?

Mr KIERATH replied:

As part of the Access All Areas initiatives, the Government has introduced a new program called JobWorks. This program specifically targets the disadvantaged, helping them to get access to employment. Employers in the private sector have been approached to provide employment opportunities to an agreed number of disadvantaged young people aged between 15 and 25 years. In return for supporting the program, employers will be offered the opportunity to have their names and logos on material promoting JobWorks.

These employers include Target Stores, Spotlight, Alcoa and Kailis Brothers, which have all agreed to provide 10 employment places. That is outstanding. Sports Challenge, in association with M G Kailis Group Pearlring Division, Cable Beach International and Chicken Treat, and the Broome Chamber of Commerce have all agreed to provide nine employment opportunities each, and Harris Scarfe and Sandover have agreed to provide eight employment opportunities.

As part of the employment agreement, the employer undertakes to provide the employee with equal status with other employees, access to the same induction process and workplace support and guidance through an adviser. The Department of Training will provide training and mentor support to both the employer and the employee.

I congratulate and thank all these employers for their cooperation in this tremendous project. I am sure that, when given this chance, all these young Western Australians will respond appropriately. Without employers like these, government policy would be just intelligent formulation and good intentions. However, together with businesses like these, we can make it work. This is another example of this Government's illustrating that business and employment is not just about the bottom line. Rather, we are looking after those less fortunate in our community and helping them put a hand up rather than receiving a handout.

MAIN ROADS WA, TERM MAINTENANCE CONTRACTS

475. Ms MacTIERNAN to the Treasurer:

I refer to the two Main Roads WA term maintenance contracts, which are together worth about \$340m, recently awarded to the multinational consortium CSR Emoleum Road Services. Has the Treasurer arrived at any estimate of how much of the total value of these contracts will go out of the state economy by way of payments to the offshore and interstate owners of this consortium?

Mr COURT replied:

I suggest that the member ask the question of the relevant minister.

Ms MacTiernan: You are the Treasurer.

Mr COURT: The member has asked a detailed question about a contract. I will get that information. She could get the information a lot more quickly if she were to ask the minister responsible.

SOILS AIN'T SOILS**476. Mrs HOLMES to the Minister for Water Resources:**

My constituents in Acourt Road, Canning Vale have informed me that activities on the Soils Ain't Soils site appear to have increased again. In light of the undertaking given as a result of the recent on-site meeting that routine contact and meetings to inspect relocation progress would be undertaken, can the minister advise when, as agreed, this business will wind down and relocate its operations?

Dr HAMES replied:

The Water and Rivers Commission has been keeping a very close watch on this site since the cabinet meeting in the Armadale region. I visited the site with the member and her constituents and discussed their concerns. There was some increased activity last week when, as part of the process of moving out, the company took in some topsoil to refurbish that area of land. That work has now been completed.

As the member knows, the company was supposed to have moved out by 31 May 1999. A prosecution was lodged by the City of Cockburn, and I am pleased to say that it was successful. As a result a new and, I hope, final deadline of February 2000 has been set. In the meantime, the Water and Rivers Commission and the Department of Environmental Protection are continuing to apply legal pressure under the Environmental Protection Act with the aim of instructing the Crown Solicitor's office to proceed with prosecutions.

MIDLAND INN, ARSON ATTACK**477. Mrs ROBERTS to the Minister for Heritage:**

- (1) Is the minister aware that in the early hours of yesterday morning the historic turn-of-the-century Midland Inn was the subject of a suspected arson attack?
- (2) Can the minister guarantee that the hotel, which was listed on the State's Register of State Heritage Places just over a month ago, will not be demolished until an independent structural assessment of the building has been conducted?
- (3) Can he also guarantee that he will introduce into Parliament a greatly improved heritage Bill that includes penalties tough enough to deter heritage vandalism?

Mr KIERATH replied:

- (1)-(3) When I heard the press report that the hotel had burned down I felt very disappointed; in fact, I was extremely upset. It was only recently put on the heritage register, which gives an indication what the Government thought was the heritage value of that building.

I must be careful in what I say, but it appears that a number of buildings in the Midland area have mysteriously caught fire in recent years. If there are suspicious circumstances, the Police Service will investigate. If it is a case of arson, the issue is the responsibility of the Minister for Police. We must await the outcome of any investigation.

Mr Kobelke: We thought you had some expertise in that area.

Mr KIERATH: As long as public safety is not jeopardised, we expect what is left of the hotel to be retained. Mr Baxter from the Heritage Council has inspected the site, and I expect to be informed of his findings either today or tomorrow. As long as public safety is not compromised, I will do everything in my power to ensure that what remains of the building is restored.

Mrs Roberts: Will you get an independent structural assessment?

Mr KIERATH: Mr Baxter has inspected the site and I am awaiting his report before taking any action.

Mrs Roberts: It is a matter of urgency. I understand Main Roads wants to open the road by tomorrow.

Mr KIERATH: The issue of public safety does not fall within my portfolio responsibilities. From a heritage point of view, the heritage listing has not been lifted. If there is any impending danger, I am prepared to issue a conservation order, which has very strong powers.

I believe the Heritage Bill before the Parliament requires the protection of heritage buildings of this State.

The SPEAKER: Including supplementary questions, we had 20 questions in 35 minutes.