



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
FIRST SESSION
1997

LEGISLATIVE ASSEMBLY

Tuesday, 19 August 1997

Legislative Assembly

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

STATEMENT - SPEAKER

Format of Notice Paper

THE SPEAKER (Mr Strickland): I draw members' attention to the Notice Paper of the House and advise that some minor changes have been made to the format. These changes take up some of the recommendations of the Select Committee on Procedure and are aimed at clarifying the categories of business, as well as listing the standard routine of business at the commencement of each sitting.

The Select Committee on Procedure recommended some other changes, and after the House has seen responses from the Government and heard the views of the Opposition on the procedure committee's report, there is significant prospect of improving the business flow further. The new categories are as follows -

- Bills - Notices of Motion
- Government Business - Notices of Motion
- Government Business - Orders of the Day
- Private Members' Business - Notices of Motion
- Private Members' Business - Orders of the Day
- Select Committees to Report
- References to Standing Committees.

There is no change to the Notices and Amendments section or to Questions on Notice.

Please note that the numbering of notices of motion and orders of the day start from 1 within each of those categories; for example, Government Business - Notices of Motion will be numbered from 1 onwards, and Private Members' Business - Notices of Motion will be numbered from 1 onwards. The same applies to the categories of orders of the day. When members refer to an item of business they must refer to the category and the number within that category.

Members will be interested to know that the Standing Orders and Procedure Committee is undertaking a thorough review of the standing orders, and further proposals may still result from that review.

PETITION - SCHOOL CLEANING SERVICES

DR GALLOP (Victoria Park - Leader of the Opposition) [2.03 pm]: I present the following petition -

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

We the undersigned petitioners call on the State Government to reverse its policy on contracting out school cleaning services in that it undermines standards and accountability for this important part of a school community.

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

The petition bears 38 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 71.]

PETITION - HAZARDOUS LIQUID WASTE DISPOSAL PLANT

MR THOMAS (Cockburn) [2.04 pm]: I present the following petition -

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

We the undersigned citizens of Western Australia wish to register our strongest possible protest over the building of a hazardous liquid waste disposal plant, at Lot 197 Cocos Drive Bibra Lake, in an area that should be clearly defined as light industrial. This proposal places both our houses and schools in a potentially dangerous situation.

We hereby request that the Minister for the Environment urgently review the proposal of the granting of a licence to build this plant.

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

The petition bears 20 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 72.]

PETITION - PUBLIC TRANSPORT FARES

MS WARNOCK (Perth) [2.05 pm]: I present the following petition -

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

We the undersigned petitioners call on the State Government to reverse their increases in public transport fares and the changes to concession fares and time constraints on transfers as they will impact most severely on pensioners, the unemployed and other low income earners.

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

The petition bears 26 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 73.]

A similar petition was presented by Dr Gallop (27 signatures).

[See petition No 77.]

PETITION - MAJOR BOUNDARY ADJUSTMENT POLL

MR HOUSE (Stirling - Minister for Primary Industry) [2.06 pm]: I present the following petition -

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

We, the undersigned being ratepayers, residents and electors of the Shire of Albany respectfully request that, should the Local Government Advisory Board recommend there be a major boundary adjustment affecting the Shire of Albany, then the Board's recommendation be put to a poll of electors affected by the recommendation and that the results of the poll be then binding on the Minister for Local Government when the elector turnout of any of the affected districts exceeds 50%.

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

The petition bears 2 613 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 74.]

PETITION - WEEKEND BUS SERVICE

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [2.07 pm]: I present the following petition -

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

We, the undersigned people of Western Australia wish to express our need to have a weekend bus service to and from Wooroloo and Wundowie areas to connect with trains at Midland. Furthermore we would like to see the present week day service altered to give a more effective and efficient service.

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

The petition bears 312 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 75.]

PETITION - GUILDERTON REGIONAL PARK

MR McGOWAN (Rockingham) [2.08 pm]: I present the following petition -

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

We the undersigned respectfully request that the Government establish a Regional Park immediately to the south of Guilderton in order to protect the mouth and lower reaches of the Moore River and the significant dunes and coastal heathland south of the mouth of the Moore River.

We request that the Government take urgent action to acquire this land before it is further rezoned or developed,

and your petitioners, as in duty bound, will ever pray.

The petition bears 115 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 76.]

PETITION - WA POLICE ACADEMY

MR BAKER (Joondalup) [2.09 pm]: I present the following petition -

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

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

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

The petition bears 1 270 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 78.]

PETITION - BUS FARES

MR McGOWAN (Rockingham) [2.10 pm]: I present the following petition -

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

We the undersigned, wish to register a complaint that the all day tickets can not be purchased prior to 9.00 for travel on the buses. This will mean that people who have appointments in Perth, whether they be medical appointments or otherwise will have to pay a lot more money than they would have to pay by using the all day fare. The same will apply for any commuters, including school children.

Public Transport should be there to assist people not as a revenue raising exercise.

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

The petition bears 43 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 79.]

TABLED PAPER - CORRECTION

THE SPEAKER (Mr Strickland): I have received a request from the Auditor General to amend the report of the Auditor General entitled "The Western Australian Public Health Sector", report No 2 - June 1997, which was tabled

in the House on 11 June 1997. The error occurs at page 23 in figure 6: Number of leave deferrals in 1995-96 as a proportion of staff. Accordingly, under the provisions of Standing Order No 233, I advise the House that I have authorised the necessary amendment and that amended figure is to be inserted in reports currently held by the Bills and Papers Office.

Before I call for brief ministerial statements I remind members that at times the Hansard reporters have difficulty hearing members with the call, particularly when conversations are being held very close to the reporters. It can make things very difficult for them.

STATEMENT - LEADER OF THE HOUSE

Legislative Program

MR BARNETT (Cottesloe - Leader of the House) [2.21 pm]: Recently, Cabinet approved a program of legislation for introduction in the 1997 spring sittings of Parliament. This outline, which I will table in the House today, provides members with an overview of the legislative program the Government wishes to be dealt with over the course of the spring sittings this year.

This list of Bills should be regarded as indicative only as other legislation may be introduced in the spring sittings as the need arises. I table the document titled "Legislation Proposed for Introduction in the 1997 Spring Sittings".

[See paper No 585.]

STATEMENT - MINISTER FOR LABOUR RELATIONS

ThinkSafe Campaign

MR KIERATH (Riverton - Minister for Labour Relations) [2.22 pm]: I rise to inform the House about the latest initiative in the Government's ThinkSafe campaign - the production and distribution of the ThinkSafe video.

The ThinkSafe campaign aims to achieve a 24 hours a day, seven days a week safety culture throughout our industry and community. This Government wants to halve accidental deaths and injuries in the State by the year 2000. The ThinkSafe campaign supports the Government's vision for Western Australians to achieve the highest standard of living in the world by the year 2000.

Since its launch, the ThinkSafe campaign has included extensive advertising through television, radio, billboards and posters. Recently, the campaign has been taken to regional Western Australia with Collie becoming Western Australia's first ThinkSafe town.

West Coast Eagles footballer, Glen Jakovich, is the campaign spokesperson who, with the campaign mascot ThinkSafe SAM, introduced Western Australians to the key concepts underpinning the campaign, which are "spot the hazard", "assess the risk" and "make changes to improve safety". In the video, Glen Jakovich and Jenny Dunstan introduce us to members of a typical family who demonstrate the ThinkSafe SAM steps at work, at home and on the roads. The 23 minute video reinforces the safety message and helps instil the cultural change necessary to reduce accidental injuries and deaths in all areas. A ThinkSafe quiz entry form accompanies the video - with \$20 000 worth of Western Australian holiday prizes to be won. Television advertising promoting the video started on 3 August.

A two pronged strategy has been implemented to ensure widespread distribution of the video. Employers have been encouraged to purchase bulk copies of the video for distribution to their employees. Copies will be available for purchase from the 55 Coles Supermarkets throughout the State. At \$2 a copy, the video is an inexpensive investment in the safety of Western Australians. Many employers have already bought copies of the video for their employees. We hope families will watch the ThinkSafe video at home and enjoy participating in the quiz. This initiative will be supported by a further ThinkSafe-WorkSafe television campaign from September to November. Advertisements will focus on particular hazards at work and at home; namely falls, electricity and manual handling to reinforce their coverage in the ThinkSafe video. New ThinkSafe-DriveSafe advertisements will reinforce the "buckle up, slow down and stay alert" content of the video.

The ThinkSafe campaign is the biggest safety campaign ever undertaken in Western Australia and the first campaign in Australia to use a unifying theme to achieve safety improvements at work, at home and on the roads. We aim to distribute 100 000 copies of the video to workplaces and homes in Western Australia.

STATEMENT - MINISTER FOR HEALTH

Metropolitan Health Service Board

MR PRINCE (Albany - Minister for Health) [2.25 pm]: As most members are probably well aware, I recently announced the State Government's decision to change the structure of Perth's 11 hospital and health service boards.

The amalgamation of the former boards into a single metropolitan health service board is the first major step towards a more coordinated and responsive metropolitan health service in this State.

Last night I met with most former board members formally to thank them for their invaluable service to the Western Australian community over many years. Board members have given much of their time, skills and experience as community leaders to help establish the firm grounding that underlies our public hospital based health service, which is among the best in the world. They should be proud of their achievements and the State Government is certainly appreciative of all that they have done. However, it is now evident that Western Australia's public hospital based health service is under enormous strain despite the State Government's massive commitment of almost \$1.7b to health.

There is a clear need to refine the system and make it more responsive to the needs of all patients throughout the State, not only the metropolitan area. The state public-hospital based system can no longer sustain duplication of services and expertise in a group of teaching hospitals clustered in a small geographic area. We need a more unified approach to health care delivery to ensure that people in this State, wherever they live, will have greatly improved access to a vast range of health services. The new board will ensure that any decisions on health care are made for the benefit of all patients and a unified system.

The 20 member board, which includes eight independent members and ex-officio members from the affected metropolitan health services, is headed by former Chief Judge of the Family Court of Western Australia, Hon Ian McCall AO. Current members include Kojonup based Judith Adams, who has extensive experience in rural and community health issues; lawyer, John Atkins; the Executive Director of the Health Consumers Council, Michelle Kosky; the Dean of Medicine and Professor of Paediatrics at the University of WA, Professor Lou Landau; information systems and management specialist, Graham McEachran; and nuclear medicine specialist, Dr Agatha Van Der Schaaf. Two vacant positions are still to be filled. I expect the board to be fully functional by the end of this year. The diversity of representatives on the board will assist it to meet the challenges of providing and coordinating the best possible health care to the residents of the metropolitan area and the country people who utilise these services.

The freeing-up of resources by eliminating costly duplication, particularly in capital, building and equipment costs within many metropolitan health services, and other measures, will ultimately result in better distribution of funds for health services where they are needed.

I look forward to seeing the rewards Western Australians can expect as a result of this new direction in health care management. I also look forward to working with the new board as it implements plans to cater for the future health needs of all people living in this State.

STATEMENT - MINISTER FOR WORKS

Procurement Agreement

MR BOARD (Murdoch - Minister for Works) [2.27 pm]: I wish to inform the House of several major national initiatives which will significantly benefit small to medium businesses which supply Governments in Australia and New Zealand.

The initiatives were endorsed by all federal, state and territory Ministers at the inaugural meeting of Australian Procurement and Construction Ministers in Perth just over a week ago. The meeting, which I chaired, was significant, being the first meeting at which all Australian Ministers responsible for procurement and construction had met. This follows the merging in March 1997 of the National Public Works Council and the Chief Executive Officers' Forum on Common Services.

As well as reaching agreement on several major initiatives relating to the construction industry in Australia and New Zealand, the Ministers signed the Australia and New Zealand Government Procurement Agreement and released a national action plan on small to medium enterprises in government procurement.

Signing the Australia and New Zealand Government Procurement Agreement was a major reform which will make it easier for enterprises, particularly small businesses, to work with Governments. The agreement has strengthened Governments' commitment to a single competitive market which will allow all businesses in Australia and New Zealand to compete equally for government contracts.

It commits Governments to improving the free trade of goods and services within and between both countries in order to increase competition and expand the market for local suppliers. In addition, the national plan of action will see Governments be more proactive in identifying opportunities for small to medium size businesses to participate at all levels of government purchasing. It is another major initiative and is expected to bring many new opportunities for small to medium enterprises.

The four point plan commits Governments to reduce the cost of doing business with government for small and medium enterprises; encourage greater participation by small to medium businesses in the “contract chain”; promote the benefits of using electronic commerce; and give greater consideration to the regional impact of government procurement decisions.

These businesses, which largely employ fewer than 20 people, make a substantial contribution to the Australian economy and employ a significant proportion of the workforce. In addition, they provide innovative solutions and the flexibility to adapt to special needs in unique situations, and can deliver benefits which may not be possible from larger enterprises.

The coalition Government totally supports both initiatives and will take a leading role to ensure that small and medium enterprises in this State realise the benefits they so justly deserve.

[Questions without notice taken.]

PETITION - WA POLICE ACADEMY

Ruling by the Speaker - Out of Order

THE SPEAKER (Mr Strickland): The petition presented today by the member for Joondalup relating to the location of a new police academy contains two faxed pages of signatures. As these pages are out of order -

Several members interjected.

The SPEAKER: I remind members that to interject while I am on my feet is highly disorderly.

Those faxed pages are out of order and I have directed the Clerks to withdraw them from the petition and accordingly adjust the total number of signatures.

Mr McGowan interjected.

The SPEAKER: If the member wants my attention he should call for me to recognise him. We have moved on.

BILLS (6) - ASSENT

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

1. Iron and Steel (Mid West) Agreement Bill.
2. Appropriation (Consolidated Fund) Bill (No 1).
3. Appropriation (Consolidated Fund) Bill (No 2).
4. Regional Development Commissions Amendment Bill.
5. Curriculum Council Bill.
6. State Trading Concerns Amendment Bill.

ACTS AMENDMENT (AUXILIARY JUDGES) BILL

Message - Appropriations

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

CASINO (BURSWOOD ISLAND) AGREEMENT AMENDMENT BILL

Receipt and First Reading

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

JOINT STANDING COMMITTEES - MEMBERSHIP

Council's Message

Message from the Council received and read notifying that the Legislative Council members of the -

- (a) Joint Standing Committee on Delegated Legislation shall consist of Hons Simon O'Brien, Barbara Scott, Nick Griffiths and Jim Scott; and
- (b) Joint Standing Committee on the Anti-Corruption Commission shall consist of Hons Derrick Tomlinson, Murray Montgomery, John Cowdell and Nick Griffiths.

LAND ADMINISTRATION BILL*Ruling by the Speaker*

THE SPEAKER (Mr Strickland): The Land Administration Bill 1997 has been transmitted to the Legislative Assembly from the Legislative Council. I have had an opportunity to look at the Bill to see whether it is a Bill appropriating revenue, and consequently one which can be introduced only in the Legislative Assembly. Rather than again reciting the background to the general issues relating to section 46(8) of the Constitution Acts Amendment Act 1899, I refer members to my recent rulings of 9 and 10 April 1997 on the Gender Reassignment Bill 1997 and the Acts Amendment (Marine Reserves) Bill 1997.

When the Land Administration Bill 1997 was introduced into Parliament it was said that the aim of the Bill was to modernise the administration and management of crown land in Western Australia. In consolidating crown land administration, the Bill is said to bring across many existing principles from the Land Act and other land related legislation. The Bill also has incorporated compensation provisions currently contained in the Land Acquisition and Public Works Act, and those provisions are said to have been placed in the Bill with little change to established principles. The Bill has features related to appropriation, including establishment of a pastoral lands board, renamed and increased in powers, functions and size from the existing pastoral board, and re-establishment of a right to compensation where land is compulsorily acquired or taken.

The Bill itself recognises that it requires appropriation of sums of money in accordance with the existing understanding of the House. Section 114, for example, provides that compensation for improvements on the expiry of certain pastoral leases is to be paid out of moneys appropriated by Parliament for the purposes. Similarly, section 258 states that where the Minister must pay compensation, it is to be paid out of moneys appropriated by Parliament for the work in respect of which compensation arises.

Plainly, the board established under section 94 of the Act needs payments to be made from the Consolidated Fund for it to operate and be serviced and the Bill, when enacted, clearly requires that to be done. The approach of this House in determining whether a Bill appropriates revenue has been to look at the effect of the Bill rather than to seek specific words of appropriation in the Bill.

After my initial discussions with the Minister for Lands, he has provided several documents relating to the Land Administration Bill 1997. For the benefit of members, I will refer to them in summary form. I make these references to leave members in no doubt about the difference between the views of the House and those outside the House over a long period. A memorandum dated 9 June 1997 to the Minister for Lands from Christopher Williams, Acting Chief Executive of the Department of Land Administration, forwards several items of legal advice regarding the Land Administration Bill 1997.

The memorandum records that legal opinion over the years is that a Bill must very precisely and formally provide for an appropriation of moneys for it to be classified as an appropriating Bill within the meaning of section 46, and goes on to argue that the Land Administration Bill is not a Bill appropriating money.

A brief summary of the several items of legal advice is as follows and I indicate that as in some instances the advice is extensive, the summary may not do complete justice to the original -

- (1) Opinion dated 9 June 1997 of Mr Peter Nisbet QC regarding the Land Administration Bill 1997 -

Mr Nisbet QC was asked -

- (1) What constitutes a money bill for the purposes of section 46 of the Constitution Acts Amendment Act 1899; and
- (2) is the Land Administration Bill 1997, a money bill?

Mr Nisbet argues that section 46 was enacted in circumstances where the present Assembly interpretation being given to it would not have been contemplated. He also refers to the similarity of the WA provisions and the Commonwealth's provisions, and notes the Federal Parliament's approach to the general issue which is far more literal than that adopted in Western Australia. He says that the Speaker and his predecessors have had an excess of caution and the phrase "bill appropriating revenue or moneys" seems to have been extended not only beyond its natural and ordinary meaning, but beyond that intended by the framers of the provision, and states that a Bill "must in its terms cause an appropriation or taking or setting aside of money" for the purposes of the Bill.

He deeply misunderstands Speaker Barnett's reference to the correlation between subsections 46(1) and 46(8) of the Constitution Acts Amendment Act 1899 in the Speaker's ruling of 23 November 1988, leading

himself in error by confusing the Governor's speech on the opening of Parliament, with the provision of a Governor's message recommending the purpose of an appropriation in a Bill. That to one side, however, Mr Nisbet argues that the mere setting up of a board, commission or other body is not sufficient - that the Bill must in its terms appropriate, and that insofar as the practice has grown up, it is not supported by the Constitution of Western Australia.

In relation to the matter of compensation, Mr Nisbet again notes that while the Bill provides for an entitlement to compensation for certain categories of persons there is no specific appropriating clause.

In summary, Mr Nisbet draws a distinction between appropriation and authorisation - saying in effect that while an Act may authorise certain expenditure, it does not appropriate it. He takes the same view generally as has been taken by many authorities outside the House over the years: that a Bill appropriating revenue or moneys is one that contains a clause which requires that money be specifically appropriated for the purpose of the Bill. Finding no such clause, he unsurprisingly and firmly considers the Land Administration Bill not to be an appropriating Bill.

Mr Nisbet's view is not new and the House has taken its approach over the years well aware of those arguments. The House has continued to look to the effect of a Bill and not for a specific sentence or clause appropriating revenue.

- (2) Advising dated 14 March, 1996 from Mr Robert Cock, Crown Counsel to Mr Ted Anthony, Department of Productivity and Labour Relations, regarding the Industrial Relations Legislation Amendment Bill (No. 2) 1995.

The advising states that an appropriation is a formal and particular legislative action and that clear and specific words are required to constitute an appropriation. Mr Cock pointed to several cases in which the courts have reiterated the need for clear and specific words.

- (3) Letter dated 28 November 1989 from Mr Greg Calcutt, Parliamentary Counsel to Hon M. Barnett, Speaker of the Legislative Assembly, regarding Bills appropriating revenue or moneys.

Mr Calcutt's letter refers to opinions from various Parliamentary Counsel and Solicitors General over more than 20 years and notes that they have been consistent - in essence that an appropriation requires specific words appropriating the consolidated fund to the extent necessary. Mr Calcutt notes that he is well aware that over the years, various Presiding Officers have given rulings which do not accord with the views of Parliamentary Counsel and Solicitors General. He indicates that this places counsel in a difficult position as they often have to advise whether or not a particular Bill can be introduced in the Legislative Council and, even where this does not arise, to advise whether a Governor's message is required.

- (4) Advising dated 27 November 1989 from Mr Kevin Parker, Solicitor General, to the Attorney General regarding the Director of Public Prosecutions Bill 1989.

Mr Parker takes the same general view as expressed in the other advisings already mentioned, in relation to the need for clear words of appropriation. In addition, he argues that in relation to the DPP Bill, there will be no significant change of expenditure. He says the result of the Assembly view is that it not only directly and improperly infringes on the privileges of the Legislative Council but it is productive of considerable and unnecessary practical difficulty.

Memorandum from Deputy Parliamentary Counsel

In addition, the Minister has provided a memorandum dated 6 June 1997 from Mr Jeremy Talbot, Deputy Parliamentary Counsel to the Minister for Lands regarding the Land Administration Bill. Mr Talbot again says that in his view the Bill is not one that appropriates revenue. He says that section 46 is framed in clear terms and for the Speaker to depart from those terms would be to give him or her a wide discretion in identifying "money Bills", which the Parliament never intended to give the Speaker, and hence create uncertainty where there should be none.

Mr Talbot points to 14 Bills over the last seven years which might have been, but were not, the subject of adverse rulings by the Speaker as they were Bills originating in the Legislative Council. Without delving into each Bill, but referring to the brief summary by Mr Talbot, there is little doubt that some of the Bills mentioned could have been the subject of an adverse ruling by the Speaker of the day. Without doubt, there will have been Bills through the years which, under the approach taken by the Assembly, should have had a message but which did not receive one. The fact that these Bills have gone through without a point being taken on them does not indicate that the House is happy to accept the practice. Section 46(9) of the Constitution Acts Amendment Act 1899 saves there being any argument outside the Parliament as to the validity or otherwise of any Bills which were so passed.

Review of the Assembly's position

All the information provided by the Minister establishes a consistency of view by legal authorities on what constitutes a Bill appropriating money for the purposes of section 46 of the Constitutions Acts Amendment Act 1899. There can be no doubt that if the matter could go to a court, their view would be upheld. That is clear. What is more, that position has been clear for years, almost before living memory. Notwithstanding that, the Assembly has continued to take the view that it will look to the effect of a Bill, and not simply for an appropriating phrase, to make a determination on whether a Bill falls within section 46.

Drafters take this into account, and in requesting a message for the Perth Theatre Trust Bill on 16 October 1979, the Assistant Parliamentary Counsel added the following postscript to the usual request made from that office for a Governor's message recommending the purpose of an appropriation in a Bill -

The requirement for that message is in this instance more a matter of prudence than necessity, previous Bills creating statutory bodies having been accompanied by Governor's messages, despite the absence of direct appropriation of revenue or moneys by those Bills, because of certain past rulings by the Presiding Officers of the two Houses of Parliament.

In the 1989 *Guide to Parliamentary Procedure*, the former Clerk of the House, Bruce Okely, wrote -

The attitude adopted by the Council would at times treat only those Bills which, within their clauses, include a clause appropriating Consolidated Revenue Fund moneys for the purposes of the Bill, as coming within subsection (8) of section 46. By contrast, the Assembly is more inclined to look at the end effect of the Bill. If the Bill has the effect of creating new and definable costs upon the Consolidated Revenue Fund or creating a potential liability for such cost, it may be regarded as one which comes under this particular subsection.

The Clerks of the House have not been requested to read every Bill and where appropriate consider it in conjunction with the parent Act to consider whether the Bill infringes the approach taken by the House, but they do advise when asked and bring to the attention of the Speaker any Bills which they notice or which are brought to their attention. Consequently, there will continue to be a chance that a Bill may slip through from time to time. It is worth repeating the words of the Speaker's ruling on 9 April 1997 regarding the Gender Reassignment Bill -

This House has a longstanding practice to determine whether a Bill appropriates revenue. If a Bill has the effect of creating new costs against the Consolidated Fund or creates a potential or contingent liability for those costs, then it is considered to be a Bill appropriating revenue. The House does not require there to be specific words appropriating revenue before classifying a Bill as one which appropriates revenue. Various attempts have been made by drafters over the years to circumvent the provisions of section 46 but the House continues to look to the effect of the Bill to determine whether it appropriates revenue.

That ruling pointed out that the practice does not exist in a political vacuum; and, like all other aspects of the ruling, it is hardly the first time this has been pointed out. For example, in a paper presented to a conference of Presiding Officers and Clerks in 1970, the then Speaker, Hon Hugh Guthrie, considered whether courts should be asked to determine what is and what is not a money Bill and said -

I pose the question as to whether it is desirable that such matters should become subjects for strict legal interpretation. As I have attempted to demonstrate at the commencement of this paper the problem has evolved slowly over the centuries and is strictly a political question. Should it not be determined by persons versed in politics rather than those versed in the law?

He said later in the same paper-

I have no hesitation in saying that, in my opinion, both as a lawyer and as a Parliamentarian, these are political questions steeped in political history and should be determined by Parliamentarians with a political approach and not by lawyers with a legal approach.

The present Bill

It can be argued that in many respects the Land Administration Bill is similar to the Acts Amendment (Marine Reserves) Bill 1997 in that it is no more than an internal rearrangement or perhaps a consolidation and tidying up. The ruling on that Bill clearly and specifically stated that the Bill represented an unusual circumstance which will be differentiated from the establishment of other authorities and cautioned the Ministry that it should exercise the greatest care if it were considering introducing any Bill in another place which established any new board or authority, notwithstanding that some part of that function was being performed elsewhere. That ruling indicated also that Speakers needed to be consistent with previous practice because to do otherwise would alter the respective rights

and obligations of various parties. I have had further opportunity to consider that ruling, and, while the complexity remains, I believe that the preferred approach is that taken by Speaker Barnett when he ruled out of order a Council Bill - the Children's Court of Western Australia Bill 1988 - which replaced one court system with another. The Speaker said on that occasion -

I appreciate that there may be arguments raised to the effect that the Bill does not appropriate any additional money. Such an argument has to be set aside: we cannot, at this juncture, weigh up the potential alteration to expenditure brought about by repealing one system of court structure and replacing it with another.

I intend to maintain that approach. I note particularly that in my attempt to ensure a completely fair application of Assembly practice with regard to the Acts Amendment (Marine Reserves) Bill, I introduced the concept that a Bill effecting an internal rearrangement might, for that reason, not be an appropriating Bill. That concept will not be followed in future. In summary, the Land Administration Bill establishes a board with extended functions and increased membership, and provides for a re-established right to compensation, therefore it constitutes what this House has traditionally considered to be an appropriating Bill. Accordingly, the Bill should not have originated in the Legislative Council and is out of order.

One last point is worth mentioning: Most Bills go through the Parliament in accordance with the provisions of the relevant Acts and in accordance with established practice. It is not uncommon for advice to be sought about the appropriate path for a Bill to take and for it to be channelled accordingly. The absence of rulings in a particular period is not an indication of the number of Bills which may have been the subject of some concern or inquiry.

MR BARNETT (Cottesloe - Leader of the House) [3.34 pm]: Mr Speaker, the Government notes your ruling and general and specific comments about the Land Administration Bill. The Government will propose on a future day that the House suspend standing orders to enable members on both sides of the House to respond to your ruling and deal with the specifics of the Land Administration Bill.

MATTER OF PUBLIC INTEREST - UNIFORM ELECTRICITY TARIFF

THE SPEAKER (Mr Strickland): Today I received within the prescribed time a letter from the Leader of the Opposition in the following terms -

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

That this House reaffirms its commitment to the uniform electricity tariff policy for all regional customers and calls on the State Government to abolish the surcharge being imposed on some customers not connected to the State's power grid.

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

[Five members rose in their places.]

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

DR GALLOP (Victoria Park - Leader of the Opposition) [3.35 pm]: I move the motion.

Certain principles have been applied over the years in Western Australian government administration that have come to be accepted by both sides of the House as being important for the development of the State and the rights of our citizens. The first important principle is that all persons, no matter what their income or location, shall have access to our government school system; over the years government schools have been set up all over the State to ensure that that access is possible. The second principle, for which we have now legislated, is that all persons, no matter what their income or background, shall have equal and open access to our State's public hospitals, and that decisions about priority shall be determined by medical need and not extraneous factors. The third principle that has become accepted as important for the administration of the State of Western Australia is that all people, no matter whether they live in the country or the city, shall have access to major government utilities at the same cost.

The best example of these principles is the uniform electricity tariff. A uniform electricity tariff policy has been adopted by Governments on both sides of the House for many years. One of the most important questions facing regional Western Australians today is the future of that policy. During the parliamentary break, I travelled around the State and met with local chambers of commerce, community groups and shire councils, and also with a range of interest groups, on the basis of supporting the health and education systems. In virtually every community that I visited, the future of the uniform electricity tariff policy was raised as a pressing issue in regional Western Australia.

That policy has been applied for many years and remained in place for all residential and small businesses in Western

Australia following the breakup of the State Energy Commission of Western Australia. Western Power is obliged to charge uniform rates under the agreement that it has with the Government of Western Australia. The annual report of the Office of Energy, which I received yesterday, provides a succinct account of the justification for this uniform tariff scheme. It states that the uniform tariff policy assists the regions and provides equity between residents in the city and the country. Therein lies the two arguments for the uniform tariff policy as it applies to those who live and work and set up businesses outside Perth, outside the umbrella of the power grid that interconnects people through the south west and mid west of the State.

There are two arguments. If Western Australia is to develop and realise its potential we must ensure that incentives are provided and encouragement is given to people to overcome the tyranny of distance and to set up businesses and communities outside Perth. Uniform tariff has been a magnificent tool for economic development. If we move to a system in which businesses outside Perth must pay the full cost for the provision of government services we will be killing jobs and investment. Without question, the uniform tariff is good economics. Secondly, it is good for the community in which we live. The citizens of our State who have overcome the tyranny of distance through their endeavour and initiative deserve to be treated exactly the same as the citizens who live in the Perth metropolitan area or in nearby regions in the south west. That is a basic principle of Western Australian government. We are all citizens. We are all equal before the law, and we are all equal in the provision of government infrastructure and services.

Last October a decision was made by this Government that will have far-reaching consequences for the development of our State and for people who live outside Perth. Last October the door was opened on a new approach to power charges in regional Western Australia. That happened after the Federal Government increased the excise on light fuel from 6.5¢ to 33.5¢. This affected costs in 29 diesel power stations throughout the State. There came the test for the Government. It could have done two things: It could have spread that cost throughout the entire community of Western Australia so that all citizens shared that burden, which we agree was an imposition that needed to be argued about in Canberra, but no success was achieved with the argument. Once it was imposed we could have shared it equally among the citizens, thus reducing the impact on any citizen; or the Government could have targeted certain groups in our community and made them pay the cost of the extra charge for diesel. The Government chose to impose a surcharge on customers who consumed more than 200 000 kilowatts an hour. One could call them units of electricity, for the sake of argument. The increase was up to 8¢ per unit and was varied according to the extent that diesel was a fuel source for the power station. For example, in Carnarvon there is a gas component of power generation which affected the extent to which the price was increased.

The Government had a choice at that point. It could have opened the door to the user-pays principle, thus sending a very simple message to the people and businesses in Western Australia who live and operate outside Perth. The message would be that user-pays is on the way. Alternatively, the Government could have spread the cost throughout the community and shared the burden of the Commonwealth Government's decision. It chose to target some businesses and to increase the cost of electricity.

Evidence that this was just the thin edge of the wedge came earlier this year when the Government's proposed policy in this area was leaked to the community. The Minister's Cabinet minute was leaked and indicated clearly that he intended to go further with the compromising of the uniform tariff policy.

I ask all members of this Parliament, particularly those representing non-metropolitan citizens and remote Western Australia, to consider what the Minister for Energy said. The Government's justification for this shift should send a shiver down the spine of every resident living outside the impact of the south west interconnected grid. The Minister said that he did not think that Perth's householders should be subsidising mining operations. He asked why householders in Perth should pay the energy costs of those companies. That was an interesting question. I ask the Minister why Perth householders should subsidise the power costs of very large corporations that operate within Perth, in the Kwinana strip and other parts of the south west where special agreements are entered to ensure that businesses stay in Western Australia. If we use that logic it should be applied over the entire energy system. The result would be absolute chaos for the provision of services.

Mr Barnett: Can you give an example?

Dr GALLOP: Of the contracted power prices that are marginally costed rather than average costs? The Minister knows the answer. He has that information. How many businesses are subsidised?

Mr Barnett: It is your point. You should be able to substantiate it.

Dr GALLOP: Does the Minister say that it is not true? He knows that it is.

Mr Barnett: Substantiate it!

Dr GALLOP: I was once the Minister for Energy, and I have seen the prices paid by some businesses in the Perth metropolitan area. The Minister knows that they are subsidised to keep them operating.

Mr Barnett: I know of one.

Dr GALLOP: Once we accept the logic of user-pays, these are questions that will be asked. If the Minister's logic is accepted the inevitability of user-pays is there for everyone to see.

We have the thin edge of the user-pays wedge. In response to this issue late last year the Leader of the National Party said that we either have a uniform tariff or we do not; we cannot draw the line and say that above the line a surcharge exists and below the line it does not. His logic on this issue is impeccable. The uniform tariff policy has been broken by the Government. A great Western Australian tradition has been broken. Today we have a chance to send a clear message to the Government that we want that situation to be reversed.

The Leader of the National Party said that the matter would be resolved post-election. He said also that it would be a key matter in coalition negotiations. He said this was absolutely vital when he came to negotiate the coalition, and that they would make sure the interests of Western Australians who live outside Perth were protected. The coalition Government came to power and the uniform tariff compromise was maintained. So much for the negotiations! We still have a surcharge and a proposal from the Minister to go much further with his user-pays principle.

Let us consider further the proposal that the Minister has put to his Cabinet colleagues. Two parts concern us. The first I will not deal with too much because the member for Cockburn will speak later, but it is the proposal to privatise the 29 power stations off the main grid. The Minister will call for tenders to supply electricity through the private sector, and it is absolutely clear that he is trying to allow the user-pays principle to be introduced by way of privatisation. The Minister's agenda also involves compromising the uniform tariff for businesses which consume over 100 000 kilowatt hours of electricity a year. A tariff surcharge will apply to business electricity users in regional areas where diesel is the dominant fuel source; that is, those currently supplied by Western Power in its interconnected system who consume over 200 000 units of electricity will be charged a diesel excise premium. Also, half of that premium will be charged for electricity consumption by medium and larger sized businesses consuming in the range of 100 000 to 200 000 units a year. It is expected that 138 regional customers will be subject to the surcharge, of which 30 per cent are likely to have an increase of greater than 10 per cent in their annual electricity bill.

Mr Barnett: What are you talking about?

Dr GALLOP: It is a proposal the Minister put to his Cabinet colleagues.

Mr Barnett: You read from something.

Dr GALLOP: It is the Minister's Cabinet minute. Did the Minister not know that his Cabinet minute has been circulating throughout Western Australia on this issue?

Mr Barnett: So you have a copy of the Cabinet minute, do you?

Dr GALLOP: All sorts of people throughout WA have a copy. Would the Minister like a copy?

Mr Barnett: Yes, I would. Please table it.

Dr GALLOP: It has been circulated.

Mr Thomas: We had better cut the fax part off it.

Dr GALLOP: Yes; indeed.

Secondly, this Minister will take the R2 tariff away from non-metropolitan consumers. The aim of the current tariff is to encourage the off-peak use of electricity and defer the installation of new generation capacity. I paid a visit to the Kimberley last week, and the implications of the tariff change for businesses in that area will be horrific. When the former Labor Government introduced the R2 tariff - as we did with great pride as a means of encouraging regional development - some firms were able to shift their energy use to off-peak periods, which encouraged great savings in power charges for these enterprises. This Minister wants to remove that tariff; I quote his logic that "it is inappropriate to encourage extra electricity use, even off-peak, as it only increases the losses".

We now have the Minister's real agenda. He is talking not only about large businesses, as all businesses which consume over 100 000 kW/h a year will have the R2 tariff taken off them. That is the Minister's proposal. He is trying gradually but steadily to gain support within Cabinet to establish the proposal in Western Australia. What will that mean? The ability for further development outside Perth will be severely compromised and, indeed, put at risk. This fact was made clear by a range of businesses which commented on the surcharge applied last October.

I now refer to an article in *The West Australian* of 5 February 1997 headed "Power bill changes add to regional hotels' costs". Representatives of a range of hotels in the north of the State were quoted as saying that the surcharge would have a significant impact upon their power charges and, therefore, on their ability to expand their businesses. Let us look at the logic of the Minister. This proposal will apply to businesses with power use over a certain amount. The Minister will apply a disincentive for further extension of many tourist developments in the north of the State. It is saying, "If you get bigger, you will pay more." That is a brilliant principle for regional development in Western Australia! We will see investment delayed and local employment devastated by this measure.

The surcharge imposed last October was bad enough, but we need to know now where the Government stands in relation to the Minister's proposal. Is the Minister aware that one of his colleagues in Cabinet is informing businesses not to pay the surcharge?

Mr Barnett: No, I am not.

Dr GALLOP: I ask the Minister whether different people throughout the State are being treated differently in relation to the power surcharge - is it being applied equally all over the State? Are some businesses in some areas being offered exemptions from the surcharge?

Mr Barnett: The Government has offered no-one an exemption from that surcharge. I understand that Western Power is following the decision of Cabinet of October 1996.

Dr GALLOP: So no-one has been relieved of the obligation of paying that surcharge?

Mr Barnett: Not to my knowledge.

Dr GALLOP: We will pursue that issue through questions in Parliament.

We have a major issue of principle in this State. One of our great traditions is under threat; namely, that wherever one lives or sets up business, one should be treated equally. The principle is good for the involvement of all members of our community as citizens and, as we have seen over the years, it is good for regional development. This matter is a real test of this Government. We must ensure that the great Western Australian tradition of treating all our residents and business equally is maintained. If we do not achieve that, we will be destroying jobs and be again sending a message to people living outside Perth that they are not really wanted and are not really part of this State.

This is a major issue which needs to be addressed. Parliament must send a message to the Government that the surcharge is not on and should be abolished. The uniform electricity tariff surcharge should be maintained for all regional customers.

MR THOMAS (Cockburn) [3.57 pm]: As the Leader of the Opposition said, the uniform tariff policy is well established as one of the cornerstones of regional development in Western Australia. This State is one of the most centralised societies in the world, and Governments of both political persuasions over the years have sought to redress that imbalance in some sense by seeking to promote regional development. Departments and schemes have been established to even out the distribution of businesses and populations throughout the State. For the most part, those programs have not been all that successful and this State continues to have a very centralised society when compared with those in other parts of the world. The population of Perth increases each year by an amount which equals the population of Bunbury, the next biggest city in WA. Those regional development policies have not been particularly successful, yet the uniform tariff policy is the cornerstone and probably most successful aspect of regional development policy in Western Australia. It is not as dramatic as some of the departments and schemes promoted in the past; nevertheless, in its quiet way, it has made it possible for people to live, and businesses to operate, in rural areas.

The Government, as we have seen in the decision it made last year, and those this Minister has foreshadowed this year, is seeking to undermine this measure. Why? The Minister and his Government are ideologically driven. This proposal is not sensibly motivated. As we have seen in areas such as industrial relations, with this Government ideology and prejudice come before sensible policy making and public administration.

Let us look at the proposal to privatise the suppliers of electricity off the grid. The Opposition is not opposed to a competitive energy industry in Western Australia, and it has supported legislation which has facilitated that competition. In fact, that legislation for the most part gave effect to a report commissioned by the Labor Party when in government, and which was released under the ministerial custodianship of the current Leader of the Opposition. The Opposition is not opposed to competition in the energy sector. Why does the Government have to throw out the baby with the bath water? This State has a very effective public sector which is capable of standing up to the private sector in providing electricity in the marketplace. Members need look only at the situation in Kalgoorlie and Boulder where AlintaGas went into competition with the private sector for the right to reticulate gas in the eastern goldfields. In a fair and open tender system it won.

Mr Barnett: Why did you get upset when AlintaGas won the Millstream job?

Mr THOMAS: This Minister is incapable of understanding a proposition which has more than one variable. In this case there two variables: Firstly, AlintaGas or otherwise and, secondly, a tender or otherwise. As the member for Eyre pointed out, there was no tender in that case and in this case there was. Having explained that basic point of logic to the Minister, he should be able to understand the situation.

Western Power is an efficient organisation and members should be proud that the people who work for the Government and the publicly owned corporations in the energy sector are efficient. They are very proud of those organisations which efficiently supply electricity under the constraints within which they operate. Those constraints will not in any way be altered by the public sector selling its monopoly diesel fired power stations to the private sector. They would operate within the same fuel and market constraints and in the same location.

Mr Barnett: Who talked about privatising those power stations?

Mr THOMAS: The Minister did.

Mr Barnett: I do not know when.

Mr THOMAS: It is recorded in the Cabinet minutes.

Mr Barnett: You had better quote it because I do not remember talking about privatising power stations, although it is not a bad idea. What did I propose?

Mr THOMAS: The Minister proposed Esperance.

Mr Barnett: No, I did not.

Mr THOMAS: For reasons known to the Minister I will not quote from the document. The Minister put forward a proposition that the Esperance power station should be sold.

Mr Barnett: That is not true.

Mr THOMAS: The people of regional Western Australia will be pleased to know that that proposition was not put forward by the Minister. The Opposition believes it was and if he says it was not the Opposition will be pleased. The Opposition is concerned that if the power stations in the monopoly situations go to private tender the pressure to further erode the uniform tariff policy will become less easy to resist. For that reason the Opposition's concern for the uniform tariff policy leads it to be fearful of proposals for privatisation in those areas.

Only yesterday I had a call from the owner of the bakery in Halls Creek, a business that is being driven very close to the wall economically by changes in electricity tariffs. If further changes to tariffs are made his prospects, vis a vis operations which might be able to bring in their produce from other areas, will be that much more diminished.

The Leader of the National Party and other government members who represent rural areas should think very seriously about this issue because it will have a severe impact on the economics of businesses in small country centres.

MR BARNETT (Cottesloe - Minister for Energy) [4.04 pm]: I will comment on some of the quotes made by the Leader of the Opposition and some of the documents he waved around. I understand the Leader of the Opposition quoted from a Cabinet minute. The member for Cockburn proudly waved around what he claimed to be a Cabinet minute. I will not make a big deal of this but members opposite, public servants and members of the public should be aware of the following Crown Law advice -

Unauthorised disclosure of a Cabinet Minute would constitute disclosure of official secrets, contrary to Section 81(1) of the Criminal Code, which says that it is a misdemeanour punishable by imprisonment for 2 years.

An allegation of a crime under this section can be investigated by the Anti-Corruption Commission.

I wonder whether the member opposite would like this matter referred to the Anti-Corruption Commission.

Mr Thomas: I would be careful if I were you because it might find out where the document came from.

Mr BARNETT: The champion of accountability and proper procedure in government, the Leader of the Opposition, quoted from a Cabinet minute and he should be aware that his action is in breach of the Criminal Code.

Mr Grill: You have quoted these things ad nauseam. Stop being a hypocrite.

Mr BARNETT: Members opposite are very blase about it. Information has been leaked from within government and has been circulated. It is a criminal offence to receive, distribute and use unauthorised Cabinet material.

Mr Thomas: Why don't you refer it to the Anti-Corruption Commission?

Mr BARNETT: I might do that.

Mr Thomas: It might have come from one of your colleagues.

Mr BARNETT: Who knows?

I raise this matter to draw it to the attention of government employees and members of the public. A government employee would face dismissal if he was found to have distributed Cabinet material. It is a serious offence under the Public Sector Management Act. I find it disappointing that someone as prominent as the Leader of the Opposition who has a very good knowledge of parliamentary procedure would quote from a Cabinet minute in this House when he knows it is illegal to do so. He can shake his head, but he knows it is the wrong thing to do. I am aware the Cabinet minute has been circulated high and low because the media rang me three or four weeks ago and told me they had copies of it.

Dr Gallop: They have copies of it too?

Mr BARNETT: I was told they were given copies of it by the Opposition, which I find interesting.

Mr Grill: Did you threaten them too?

Mr BARNETT: I do not threaten anyone.

Mr Thomas: Only public sector employees.

Mr BARNETT: I take this matter seriously. Public servants have a responsibility to respect confidentiality. Members of Parliament should provide, by way of example, some recognition of the status of Cabinet material. The fact that it has been reported in the media and members opposite have seen a copy is no reason for them to come into this place and flaunt it and give a message to the community that it is in a sense legitimate to take official Cabinet material and distribute it widely. The Leader of the Opposition sets an improper example. He comes piously into this place and talks about propriety and proper conduct. This is an example of a clear misuse of Cabinet material by him.

Mr Thomas: I sat on that side while members on your side had information about a Minister's medical records.

Mr BARNETT: That is another issue.

Mr Thomas: Do you think it was wrong?

Mr BARNETT: Members opposite fob it off. When it comes to the crunch they fail the barriers and tests they put up for accountability.

Dr Gallop: Do you want to conceal it from the public?

Mr BARNETT: I have never concealed anything.

Dr Gallop: What is your problem?

Mr BARNETT: I do not have a problem.

Dr Gallop: Yes you do.

Mr BARNETT: The Leader of the Opposition is squirming. Under the parliamentary system Cabinet documentation, for very good reason, must be treated confidentially. It is illegal for public servants or members of the public to distribute and use that material. One way or another the Opposition has improperly acquired Cabinet material and improperly used it in this Chamber.

I want to tell members a little bit about regional power. The Opposition has talked about two reasons for having a uniform tariff policy, which is somehow fundamental to the Western Australian way of life. I agree that is important for regional development and for equity. We do not have a uniform tariff in the pure sense; we have mixtures of contracts for individual customers, off peak tariffs, which are not in a sense uniform tariffs, and all sorts of arrangements.

Dr Gallop interjected.

Mr BARNETT: I listened to the Leader of the Opposition in virtual silence. I want to explain to members and the public some of the issues. Western Power operates 29 regional, isolated power stations. In 1997-98 those power stations made a collective loss of \$37m. The uniform tariff in a sense applies for most. There has been no price increase for business tariff customers since 1991. In real terms they have had a reduction in electricity cost of the order of 20 per cent. Contrasted, household consumers have had one increase since 1991 of 3.75 per cent this year. In real terms they have had a decrease of around 15 or 16 per cent. The loss made in regional power stations comes from a very simple fact. Electricity is sold to householders for around 12¢ a kilowatt hour. It is sold to businesses for around 16¢ a kWh. In regional parts of Western Australia the cost of generating that power is anywhere between 20¢ a kWh and 65¢ a kWh. That is why we have a problem. The cost of generating power is well in excess of the price for which it is sold. For that simple reason there has always been a loss or cross subsidy. That problem is not of my creation. The problem is fundamental in regional Western Australia. As the Leader of the Opposition has said, the position was exacerbated when the Keating Government made a decision, which I regret was not reversed by the Howard Government, to increase the light fuel excise from 6.5¢ to 33¢ a litre. The impact of that was to increase the cost of generation by a further 8¢ a kWh. Therefore, on a system which was already losing substantial amounts of money with electricity in many cases being sold at about half the cost of manufacturing it, here was a further federal tax increase which added 8¢ a kWh to it, which by itself added another \$18m in costs or losses to Western Power. That was a difficult problem to deal with. It is true that in October 1996 Cabinet made a decision, which was clearly recognised as a transitional, temporary arrangement, that large consumers of electricity - that is, those consuming over 200 000 kWh per year - would pay a surcharge of 8¢ per kWh on only extra consumption. For example, if they went from 220 000 kWh to 240 000 kWh, they would pay the surcharge on the additional 20 000 kWh. That transitional arrangement was to try to provide a cap and some sharing of the load.

My Cabinet documentation has been quoted from liberally. That Cabinet submission was made around June and followed by a subsequent one. No submission is currently before Cabinet because the submission was withdrawn.

Dr Gallop: We still have the surcharge.

Mr BARNETT: Yes.

Mr Thomas: You are backing off, are you?

Mr BARNETT: I am not; I am addressing the issue.

Dr Gallop: What about the proposal?

Mr BARNETT: There is no proposal before Cabinet.

Let me go through some of the facts. Who are these regional customers? A big point was made about equity. There are some 19 500 regional customers of whom 14 200 or approximately 73 per cent are householders. All those people, about whom the Opposition should be worrying - about whom the Opposition used to care - will continue to receive a uniform tariff in Western Australia under any scenario. Another 4 300 small businesses, as I would refer to them, consume less than 100 000 kWh. Another 190 businesses consume between 100 000 kWh and 200 000 kWh. If we draw a line somewhere, 83 larger businesses in regional Western Australia are consuming more than 200 000 kWh. I have relaxed and changed my position. We are talking about sharing some part of the federal tax increase with 83 large energy consumers in Western Australia. That is out of a total of 19 500 customers. I do not dismiss this as unimportant but members must get it into perspective.

Several members interjected.

Mr BARNETT: I will get to all of those issues in time. Where are the losses distributed? In Broome the operational loss is \$6.2m, in Derby \$3.6m, in Esperance \$7.1m and in Exmouth \$2.4m. With the addition of Carnarvon those significant regional centres account for the lion's share of the losses. I have a business approach to issues. There is a real problem out there because it costs more to make electricity than it is sold for. The solution will be a commercial, business solution, which is what is needed to be found. If we do not solve the problem, it will not go away.

Dr Gallop: Your solution creates more problems than it solves. It is the madness of rationalism.

Mr BARNETT: No. We must walk up to the problem and recognise there is a real economic problem. We must then find a real economic solution. Let me give the example of Exmouth. It has seven customers who consume more than 200 000 kWh per year. That is a small number of customers.

Dr Gallop: How much of the power do they use?

Mr BARNETT: I will give two examples of Exmouth and Broome. Seven customers in Exmouth would fit my

definition of a large customer. The consumption of electricity in Exmouth is growing at 10 per cent a year. Western Power predicts that by the summer of 1998-99 the existing generating capacity of 6.8 megawatts will be inadequate. What is the problem in Exmouth? The Leader of the Opposition spoke of regional development and implies that I am holding back or threatening regional development. I met those seven customers in Exmouth. Their problem is that the demand for electricity is growing and they are running to capacity. The question as to whether they expand is whether there will be sufficient electricity for their businesses. The constraint is the capacity of power generation, which is the issue for regional development and those customers.

Dr Gallop interjected.

Mr BARNETT: I listened to the Leader of the Opposition. Let me give the example of Broome where approximately 21 customers consume more than 200 000 kWh of electricity. Those customers account for 33 per cent of total electricity generation.

Dr Gallop: One must have about 25 per cent.

Mr BARNETT: I will get to that. They account for one third of Broome's energy consumption. Broome faces a similar situation. Its capacity is around 18 MW. Within two years Broome will face the same problem, as will Exmouth a year later. Broome will have insufficient generating capacity to meet demand. That is the issue. I have met with groups from Broome and Exmouth, and, interestingly, with some from Kununurra where the scenario is slightly different.

Dr Gallop: And you have told them to go directly to Ord Hydro to get power.

Mr BARNETT: No I have not. I have put a proposal to those businesses. It has not yet been accepted by Cabinet, and perhaps it will not be accepted. My proposal is that the uniform tariff should remain for all householders - this Government cares about people - and for small businesses and medium businesses that are consuming amounts up to 200 000 kilowatts. I propose that those consuming higher amounts should share some part of the federal excise increase. For example, where the full impact of that excise applies their electricity will increase by 4¢ a kWh. The price of their electricity would increase from 16¢ to 20¢ a kWh for consumption above 200 000 kW, which is a modest increase. The impact may be greater for those on off-peak tariffs, which is a separate issue. It gives some price signal, albeit a modest one. In terms of the impact of the federal excise, three-quarters of that increase would be borne by the State and Western Power and less than a quarter would be passed to about 80 large consumers in regional Western Australia.

The Leader of the Opposition spoke about equity. I have a peculiar notion on the subject of equity and think about it in terms of people. I do not exclude business people from that. This loss occurs because it costs more to produce electricity than the price at which it is sold. One customer in the north of this State - members can probably guess which company - is a very large energy consumer. The difference between the cost of generating the electricity this customer uses and the price it pays is approximately \$460 000 a year, which is effectively a cross subsidy. Those who care about equity, people and small business will have a problem with that notion. That same customer - and it applies to many others - has its establishment lit up like a Christmas tree. There is little evidence of any attempt to conserve energy or use it efficiently. That is why there must be some price signal. We must make sure the capacity is increased - which is another subject - and that the larger businesses have some incentive to conserve energy or use it efficiently. Without a price signal, that problem is not being addressed.

The proposal I took to Cabinet is not to privatise the power stations, although that could be in part a result and I do not think it is a bad idea. My proposal is to solve the problem. To do so is to invite private sector investment into new capacity generation.

Dr Gallop: Every Minister has the same problem. Will you solve the health, education and transport problems of extra costs?

Mr BARNETT: I intend to solve the real problem. The best solution, which must be refined and more work must be done -

Dr Gallop: I was right, you have not given up.

Mr BARNETT: I certainly have not. It is pretty clear from what I have said today that I have not given up. It is important for the development of Western Australia to solve the real problem. At one of my meetings around the State a hotel operator in Kununurra said he would substantially expand his business when he had secure, available electricity at the right price. Similar comments were made to me in Broome. The people in those areas do not want to pay more for their electricity, but they are most concerned about a long term, reliable supply at a predictable price. Any sensible business person would be concerned about that. In Kununurra, for example, there is private sector involvement in Ord Hydro Pty Ltd. Electricity is available but the uniform tariff applies. Western Power breaks even

in Kununurra. Those consumers using more than 200 000 kW a year have suddenly realised that without the uniform tariff, if they could contract directly with Ord Hydro, they would get cheaper electricity. That is the case and I think they should be allowed to do it.

Dr Gallop: So do I.

Mr BARNETT: With private sector investment that should be possible. The Leader of the Opposition must raise his sights.

Dr Gallop: We want a guarantee that the price will not go above the uniform tariff.

Mr BARNETT: There is a guarantee.

Dr Gallop: No there is not.

Mr BARNETT: The Leader of the Opposition can argue his way. With private sector investment we cannot leave the uniform tariff uncapped. There must be some control, otherwise there will be more investment to provide more electricity to build a bigger plant and to make a bigger loss. That is not good economics; it is bad business. Large businesses in the region accept that. I have discussed with them private sector investment, an expansion of capacity, a uniform tariff and an additional tariff for larger consumers and, most importantly, an opportunity for them to deal directly with the private generator. I have suggested these large consumers should do deals to suit their businesses about supply, reliability, interruptability and so on. They will go for that because it will give them the confidence to expand their businesses, and it will help regional development.

Dr Gallop: In Kununurra they said you made that suggestion to them, rather than them making it to you. The record should be right.

Mr BARNETT: No, the operator at the hotel at which I was staying asked me if he could deal directly with Ord Hydro.

Dr Gallop: He told me you suggested that to him.

Mr BARNETT: I explained the scenario, which I think is a good one. Much has been said about equity. The cut off point for small business has been increased from \$100 000 to \$200 000, thanks to my good friend from the National Party. I concede that he won that round. It operates at a higher level and I was willing to be flexible about that. At that level it includes all small businesses. Much is said, quite mischievously, about small businesses in country towns. Most small businesses and chamber of commerce groups will acknowledge that the biggest problem facing small business is big business. I may not like that answer, but that is their response.

I ask you, Mr Speaker, where is the equity for small business in the State Government subsidising large companies such as Woolworths (WA) Pty Ltd and Coles-Myer? They receive hundreds of thousands of dollars in subsidies to compete with small businesses in regional Western Australia. When the penny drops and those chambers of commerce realise that this proposal will not impact on their electricity tariffs and that they will be substantial competitors to companies they already think have an unfair advantage, the Opposition's argument about equity will turn on its head. I have a simple notion that equity is for people and small to medium size businesses. The problem at the moment is lack of capacity and lack of certainty on expansion for business in regional Western Australia. It is a real issue and I do not pretend there is a simple solution. When members opposite were in government they did not face up to the issue.

Dr Gallop: We put in the R2 tariff.

Mr BARNETT: How dopey was that? The biggest difficulty in this issue is to sort out the problems caused by the off-peak tariff. The reason for the off-peak tariff in the south west is that the lower cost generating plant operates during off-peak hours. It costs less to produce electricity overnight and, therefore, that electricity is sold at a cheaper rate. However, the previous Government applied the off-peak tariff in country areas where there was no time of day saving. A diesel plant costs the same to operate at midnight as it does at midday, and it was silly of the previous Government to provide off-peak tariffs when there were no off-peak technical savings. It is illogical.

Dr Gallop: That is not right. You are sharing the load over a bigger distance.

Mr BARNETT: It is not true. The plant uses the same amount of diesel 24 hours a day. There is no off-peak period. The biggest problem in sorting out this regional power issue is not the uniform tariff and schedule tariff, but the impact of trying to phase out the off-peak tariff illogically provided in regional areas by the Government which did not have the sense to think it through.

Mr Graham: Which Government?

Mr BARNETT: The previous Labor Government provided the off-peak tariff in regional Western Australia. Had it had half a wit, it would have realised what a disaster it is.

Mr Graham: And you are removing it?

Mr BARNETT: I want to phase it out.

Mr Graham interjected.

Mr BARNETT: The member for Pilbara should not complain because an appalling arrangement exists in the Pilbara, the changing of which will cause prices in his electorate to fall.

MR COWAN (Merredin - Deputy Premier) [4.29 pm]: This debate will demonstrate what I said at the National Party Conference two weeks ago; that is, the coalition is a fairly robust body and as do all coalitions it has a -

Dr Gallop: I suggested you should liquidate all your assets because I do not think the National Party is doing much these days.

Mr COWAN: If I had time I would respond to those remarks. However, I want to give one of my colleagues an opportunity to say a few words; that is probably all he will have time for. As has already been acknowledged by the Minister for Energy, this matter has not been resolved within Cabinet. It is no secret that the major players are me and the Minister for Energy.

I am quite sure we will resolve this issue in Cabinet to the satisfaction of the majority of people living in regional Western Australia. There is no question that will be somewhat difficult because we face the problem foisted on us of having to absorb the extra costs associated with the introduction of excise on light fuel oil. Nevertheless, the Government adheres to the principle of uniform tariffs. Although I acknowledge that in a general sense much of what is in this motion could be fully supported, particularly by those members who represent regional electorates in Western Australia, it must also be acknowledged that the bulk of the major businesses on the non-interconnected system are not paying a uniform tariff. They are already contracted and paying a higher rate.

It is appropriate for us to recognise not only that fact but also the principle; that is, this Government will adhere to a uniform tariff. In order to reinforce that I will move an amendment.

Amendment to Motion

Mr COWAN: I move -

That all words after "policy" be deleted.

In other words the motion will be that this House reaffirm its commitment to a uniform tariff policy.

MR AINSWORTH (Roe) [4.32 pm]: In seconding the amendment I make it very clear that the words "uniform tariff policy" must apply across the whole of the State without any differentiation whatsoever.

If we are serious about a commitment to the uniform tariff policy, as the amended motion will reflect, that will include businesses using electricity at a rate greater than 200 000 units a year. They are not large businesses on contract rates; in many cases they are quite small family businesses, which require significant amounts of electricity in the light of their type of operation. However, it is important to bear in mind that the amount of electricity used in a business is not an indication of its profit.

We must also maintain equity among the various parts of the State so that at least a modicum of competition will exist between them. The further away from the metropolitan area, the greater the costs to any business, whether it be transport or whatever else, without our adding costs through a basic facility such as electricity, which, in many cases, comprises a very big proportion of business costs. I support the amended motion with the intention behind it that I have just expressed.

MR GRILL (Eyre) [4.34 pm]: The Opposition does not accept the amendment deleting the words moved by the Deputy Premier. The Opposition is not sure why the Government wants to delete the words after reaffirming its commitment to a uniform tariff policy. However, the Opposition suspects that the Government wants to retain some sort of commitment to getting rid of the off-peak tariff. If that is what the Government is driving at the Opposition is opposed to it. The Opposition considers that an off-peak tariff would hold significant benefits and it wants it retained. It was put in place by the Labor Government some time ago on the advice of the then State Electricity Commission, now known as Western Power. At the time we were informed that significant gains would be made from off-peak tariffs. Members on this side of the House believe that gains could be made from an off-peak tariff.

Mr Barnett: On the grid there certainly would be gains.

Mr GRILL: The Opposition believes that even in country areas significant gains could be made from an off-peak tariff. The example the Minister put forward is simplistic and misleading in this sense: In country areas one piece of plant does not usually generate all the electricity. Up to four pieces of plant could be generating electricity according to the needs of the community. If a plant could be turned off during the day and the amount of electricity used were evened out to two or three rather than three or four plants a significant saving could be made. An off-peak tariff would therefore make a lot of sense. Savings could be made in the very way that Western Power initially explained to us they would be made.

I would like to say many other things but time has run out. The Opposition supports the entirety of this motion.

Amendment put and a division taken with the following result -

Ayes (33)

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

Dr Hames
Mrs Hodson-Thomas
Mrs Holmes
Mr House
Mr Johnson
Mr MacLean
Mr Marshall
Mr Masters
Mr McNee
Mr Minson
Mr Nicholls

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

Noes (16)

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

Mr Grill
Mr Kobelke
Ms MacTiernan
Mr McGinty
Ms McHale
Mr Riebeling

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

Pairs

Mr Bloffwitch
Mr Kierath
Mr Tubby

Mrs Roberts
Mr Marlborough
Mr McGowan

Amendment thus passed.

Motion, as Amended

Question put and passed.

MOTION - SESSIONAL ORDERS

Time Management

MR BARNETT (Cottesloe - Leader of the House) [4.40 pm]: In accordance with the sessional order for time management, I move -

That the following items of business be completed up to and including the stages specified at 5.30 pm on Thursday, 21 August -

- (1) Water Services Coordination Amendment Bill - all remaining stages;
- (2) Acts Amendment (Auxiliary Judges) Bill - all remaining stages;
- (3) Cement Works (Cockburn Cement Limited) Agreement Amendment Bill - all remaining stages;
- (4) Human Tissue and Transplant Amendment Bill - all remaining stages.

The Government is continuing its program of time management. The indicative list of legislation I tabled earlier this afternoon includes 90 Bills the Government hopes to introduce this session. That is an ambitious target. I hope we can realistically progress 50 or 60 of those Bills through this Chamber. Much of the legislation is of a relatively routine and non-contentious nature. It is the Government's intention to drive the legislative program aggressively.

Depending on progress in the other House, it may be that we do not sit for the required number of weeks as indicated. We will work to that program and push through the legislation in a reasonable way, but keep it moving. If necessary, we may flex the program towards the end of the year, depending on the progress in the other place. This motion is a realistic target for this week.

MR BROWN (Bassendean) [4.43 pm]: Once again the Leader of the House treats this place with contempt by moving a guillotine motion. Let us consider the management of this House to see whether the guillotine motion is appropriate. In the second last week of sitting this year before the winter recess, the Leader of the House moved a similar guillotine motion for four Bills - the Restraining Orders Bill, the Professional Standards Bill, the Hairdressers Registration Repeal Bill and the Gender Reassignment Bill (No 2). I opposed that guillotine motion on the basis that on the Notice Paper on that day were eight items of government business. Of those eight items, four were subject to the guillotine and two were simply messages from the other place. Members will recall that at that time the House was scheduled to sit for two more weeks - that week and the following week. The point was made that there was not enough business on the Notice Paper to keep the House sitting for even those two weeks, therefore why did the Government have to insist on a guillotine motion being put before the House? It was simply a matter of form for the Government to indicate its position.

What happened? At the end of that week the Leader of the House advised members that the House would not sit the following Tuesday and Wednesday. Despite the House being two weeks away from rising for the winter recess and there being only eight items on the Notice Paper, two of which were messages, the Leader of the House still had to include four Bills in the guillotine motion. At the end of that week, despite the opposition we on this side of the House expressed, we were told there was no need for this place to sit on the following Tuesday and Wednesday.

I have no problem with the proper use of parliamentary time and the expeditious passage of government Bills. However, I oppose the moving of a guillotine motion each week as a matter of form. That practice does not take account of the amount of time that may be needed - I emphasise "may" - by members on this side of the House to debate legislation that comes before this place for consideration.

Today's Notice Paper lists seven government Bills as orders of the day, two of which are to be read a second time. Given the number of Bills on the Notice Paper, why is this guillotine motion necessary? There is no need for it. It is simply an abuse of the process and a continuation of the appalling manner in which the Leader of the House treats those on this side of the House who are interested in debating the Bills that come before them.

MR RIPPER (Belmont - Deputy Leader of the Opposition) [4.48 pm]: The Opposition opposes the guillotine motion the Leader of the House puts before us today. We oppose the weekly use of the guillotine. The guillotine in its regular form is contrary to the traditions of this House. This House is not simply a legislation factory for the Government. Members of Parliament have roles and rights that go beyond the convenience of the Government of the day.

The target number of Bills the Leader of the House would like the House to deal with this week is not unrealistic. For practical purposes I do not think the Leader of the House needs this motion. However, it is part of his strategy of desensitising the House, the media and the public to the use of the guillotine by making it a regular, anodyne part of the process so that when it does bite - when it has an impact and when it restricts debate - there is only a muted response from the public and the media. Although this week's target might not seem unrealistic, on the basis of advice from our shadow Ministers who will be dealing with the Bill, I am concerned with the statement by the Leader of the House that he proposes to drive the legislation "aggressively". That gives me a sense of foreboding about the likely restrictions on debate we will see as this session proceeds.

The Leader of the House must recognise the parliamentary situation is different from that which applied in the past four years of the coalition Government. The upper House is not controlled by the Government. For the first time in more than 100 years a Liberal-National Government must govern without the guarantee of a majority in the upper House, which will have something to say if legislation is guillotined in an aggressive fashion through this place. The Government may not achieve much more success in its legislative program by the use of the guillotine in this place if it provokes a reaction in the upper House which then delays the pieces of legislation the Government has guillotined through this place. With the composition of the upper House, there is very little chance the Government will be able to secure a guillotine or a gag in that place. The end result will be that the proper debate that should occur in this place on a piece of legislation, which is subjected to the guillotine, will instead occur in the other place.

This motion is wrong in principle and unnecessary in practice, if members look at the history of the way in which this place has dealt with legislation. It will be counterproductive for the Government. Irrespective of that, we oppose the regular use of the guillotine on principle.

Question put and a division taken with the following result -

Ayes (29)

Mr Ainsworth
Mr Barnett
Mr Barron-Sullivan
Mr Board
Mr Bradshaw
Mr Cowan
Mr Day
Mrs Edwardes
Dr Hames
Mrs Hodson-Thomas

Mrs Holmes
Mr House
Mr Johnson
Mr MacLean
Mr Marshall
Mr Masters
Mr McNee
Mr Minson
Mr Nicholls
Mr Omodei

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

Noes (18)

Ms Anwyll
Mr Brown
Mr Carpenter
Dr Constable
Dr Edwards
Dr Gallop

Mr Graham
Mr Grill
Mr Kobelke
Mr McGinty
Mr McGowan
Ms McHale

Mr Pental
Mr Riebeling
Mr Ripper
Mr Thomas
Ms Warnock
Mr Cunningham (*Teller*)

Pairs

Mr Bloffwitch
Mr Kierath
Mr Tubby

Mrs Roberts
Mr Marlborough
Ms MacTiernan

Question thus passed.

FAMILY COURT (ORDERS OF REGISTRARS) BILL*Second Reading*

MR PRINCE (Albany - Minister for Health) [4.55 pm]: I move -

That the Bill be now read a second time.

Background: In February 1997 the Full Court of the Family Court of Australia in the matter of *Horne v Horne* - unreported decision, 13 February 1997; PT 3069 of 1995 - held that a consent order of a Registrar of the Family Court of Western Australia was invalid. For some years registrars in the Family Court of Western Australia have been purporting to make orders with respect to such matters as maintenance payments, property rights and access to children. This arose out of amendments to the federal Family Law Rules which contemplated those orders being made by registrars of state courts. The problem revealed was that there was no delegation of power of law to registrars and Western Australian registrars' decisions were not reviewable by the Family Court. The court held that without a delegation no power could be exercised and without a review any delegation was invalid. The first of these problems applies to registrars exercising the powers of the Family Court of Western Australia with regard to exnuptial children.

The Bill now before the House has been drafted to address the invalid consent orders made by Registrars, or Deputy Registrars, of the Family Court of Western Australia in exercising this state jurisdiction. Clearly it is desirable that the doubts which presently exist in relation to the rights of a great number of people affected by such orders be removed.

Relationship to commonwealth legislation: Most people affected by the ineffective orders of registrars are, or were, married to each other, with orders made under the commonwealth legislation. A smaller number of affected people are those who appeared before registrars where exnuptial children were involved. The solution requires a combined approach by the Commonwealth and the State to address the problem of ineffective orders in both cases. The commonwealth Attorney-General has agreed to the need for a joint approach and has introduced commonwealth legislation along these lines. In short, the aim is for the commonwealth and state legislation to complement each other.

Wide consultation in respect of the Family Court (Orders of Registrars) Bill 1997 has therefore taken place with both the State and Commonwealth Solicitors General, Crown Solicitor's Office, Commonwealth Attorney-General's Department and the Family Court.

Main features: The approach in the Bill has not been to validate the past procedures, but rather to give substantive rights and liabilities to the effect of the purported orders. The Bill declares that affected persons have substantive rights and liabilities in accordance with the tenor of the purported consent orders dealing with property, access and custody, amongst other matters, made by Registrars of the Family Court of Western Australia; that is, in the case of an order that a registrar has purported to make, the rights, liabilities, obligations and status of all persons will, by force of the Bill, once enacted, be the same as if the purported order had been made by a court having jurisdiction so to do. This approach, which has previously been approved by the High Court of Australia in the case of *R v Humby ex parte Rooney* (1973) 129 CLR 231, is based on a recognition of the respective roles of the courts and the Legislature. The principle expounded in Humby's case has been approved by the High Court in subsequent decisions; for example, *Polyukhovic v The Commonwealth* (1991) 172 CLR 500 - see Mason C.J. at page 533.

Importantly, the Bill provides that the substantive rights and liabilities have effect both for past and future purposes. In this respect the Bill, once enacted, will allow effect to be given to whatever has happened to the ineffective order since the time it was made. Thus, any subsequent purported changes to an ineffective order operate according to their tenor. The parties are not left with the ineffective order as originally framed. Where a subsequent proper order of court has taken effect, that order - not this Bill - determines the status of the parties. In no way does this Bill render ineffective the effective, proper orders of a court.

Other issues: The House should be aware that this Bill is part of a package of legislation, the balance of which will soon be presented to this Parliament. Other important Bills include the family court Bill, consistent with the recommendations arising from the report of the advisory committee on amendments to the commonwealth Family Law Act. The most substantial change to be dealt with in that Bill is that, where previously the mother of an exnuptial child was given sole guardianship and custody rights to the exclusion of the father, the Bill proposes that the parents have equal responsibility. That Bill will be accompanied by a Bill dealing with consequential amendments to a number of other Statutes.

Also, to ensure that the situation being addressed by this Bill does not arise in future, the family court Bill will provide for delegation to registrars and review of their decisions by the court. Until these family law reforms are enacted, the registrars are not, and will not be, making orders. Orders made by these officers in their capacity as magistrates are not affected by *Horne v Horne*.

Conclusion: This Bill was introduced ahead of the rest of the package to enable early public comment and for early resolution of the problem. I commend the Bill to the House.

Debate adjourned, on motion by Mr Cunningham.

WATER SERVICES COORDINATION AMENDMENT BILL

Second Reading

Resumed from 19 June.

DR EDWARDS (Maylands) [5.01 pm]: The Opposition supports this Bill, but signals some concerns. I am pleased that the Minister's response will accommodate some of the Opposition's concerns. In briefings the Bill was sold to the Opposition as pertaining only to the South West Irrigation Asset Co-operative Limited. Although the Bill solves the cooperative's problem it will have a much broader impact. It is a framework for all similar transfers that might be planned by the Government.

Hon Ken Travers, who is the opposition spokesperson for water resources, has been communicating with the Water Corporation and the Minister's office about the Opposition's concern that the Bill covers all other transfers that will inevitably occur down the track. Until an hour ago we were not aware that our concerns would be accommodated to any extent. The Opposition is concerned at the lack of accountability if the other transfers do not come into Parliament. I am pleased that the Minister for Water Resources will respond to the Opposition's concern and increase accountability. I do not know the detail of that as yet.

I will make some comments about irrigation and drainage schemes. Western Australia has at least five irrigation schemes. I am happy to be corrected by the Minister as the only information I could find was a couple of years old. The Ord irrigation scheme has now been handed over to what might be called private management with the formation of a cooperative of farmers who will take greater control of the management of the scheme. In March 1996 they signed a 12 month contract for the maintenance and operation of the Ord scheme. I would be interested to hear from the Minister what has happened in that time.

The Carnarvon irrigation scheme has also investigated the option of self-management. I recently visited the ill-fated Camballin irrigation scheme. In the 1950s Camballin was thought to be a worthy project, although in reality it has failed. It sits as a barrage across the Fitzroy River. The various pieces of infrastructure are simply rusting in the

Fitzroy valley. It sits there not only as a monument to failure but also as a lesson to all of us that when we embark on projects we need to be clear about what is involved, what the barriers and problems are likely to be, and how such projects will be managed in the long term. If the Minister has any information about any of those assets or proposed transfers, I would be interested to hear it. Farmers in the Preston valley who receive irrigation from that scheme are also working towards new arrangements. I understand they have now appointed consultants to advise and help draw up a business plan for that irrigation district. In addition, there is the south west irrigation scheme, which the focus of this Bill.

I could not find out a lot of information on drainage. The three drainage districts are Mundijong, Waroona and Albany. I guess that the Government has plans on how to manage those drainage districts in the future.

One of the Opposition's concerns is that both irrigation and drainage entities appear from Water Corporation reports to be loss-making bodies. For example, the annual reports of the Water Authority and the Water Corporation show losses in 1992-93 of \$9m and in 1993-94 of \$8m for irrigation businesses. However, in the six months to 30 June 1996 the Water Corporation's annual report indicated a loss of \$1.1m. I think there is a mistake in the corporation's annual report, because the table on page 24 dealing with drainage and the table on page 26 dealing with irrigation show exactly the same figure. I do not think that mistake has been corrected, because I have the Parliament's copy of that annual report. I think the figures on irrigation relate to drainage. However, I am basing that on a comparison with previous annual reports, and if the Minister is any wiser, I hope he will let me know.

I realise that setting up the cooperatives has involved complicated arrangements, that the Government is not transferring the losses, and that the issue has been carefully considered. I have read the report by Mr de Kock, and I admit that without seeing some of the financial information that led to that report I am not a lot wiser. It is not just an issue of transferring debt. On paper these entities are making losses. They are very different entities. The schemes in the north are quite different from those in the south. However, there is an argument for accountability and for treating each of the transfers in the future on a case by case basis. Obviously, accountability is best met not by this Bill but by having each transfer tabled in Parliament or somehow brought to the attention of Parliament.

This Bill provides that the Minister can place a notice in the *Government Gazette* for a transfer to take effect. Even more horrendous than that is the provision that if the list of assets is voluminous, the Minister is not required to gazette that list; he has only to make it available if the public wants it. That is a classic example of "what the public does not know about they will not ask". I will welcome the Minister's comments and hope that they will improve on some of the conditions in this Bill and will go a long way to meeting the Opposition's concerns.

Dr Hames: You are right; the point is reasonable. It does not hurt for it to come to Parliament.

Several members interjected.

Dr EDWARDS: It was proposed that it be published in the *Government Gazette*. I have problems with that. At one stage I was going to buy it, but it is too expensive. I assume it is now on the Internet, but my office is not linked up and I cannot get it through computer access. I do not know anyone who reads the *Government Gazette*, and if someone I know did, I would think that person had serious problems.

Several members interjected.

Dr EDWARDS: Publishing it in the *Government Gazette* presented a problem, but the legislation makes reference to the situation where it is too large. I accept that there is no point in having a *Government Gazette* that is very thick; no-one would read it. However, if it were too large to be published in the *Government Gazette*, the Minister could just do it. If someone happened to find out about it and was interested, they could read it at some public place. Bringing it into Parliament makes the Minister more accountable and shows that the Government is not trying to hide anything.

I have previously mentioned the losses made by the irrigation schemes. The same can be said of drainage. The Water Corporation's 1996 annual report refers to a \$1.1m loss. I assume that figure is correct. In 1993-94 that loss was \$4.8m and the year before it was \$3.7m. I am not sure what the corporation has done to dramatically decrease the losses in both irrigation and drainage. Whatever it has done, we know that the losses will be spread differently over the different areas; in particular, there would be a big difference in the location of the losses in the irrigation areas. The size of the properties participating in the irrigation schemes varies markedly.

I will now make some specific comments in relation to the south west irrigation scheme, which covers Collie, Harvey and Waroona. I need to understand what has happened. I had to read the second reading speech a couple of times to understand it. In 1996, the Government decided to transfer the Water Corporation's south west irrigation and associated businesses to the South West Irrigation Management Co-operative. At the same time, it decided that the corporation's south west irrigation and certain drainage assets were to be transferred to the South West Irrigation

Asset Co-operative Limited. I understand these agreements were finalised in October 1996. For tax reasons, the Government was separating the assets and their management. SWIMCO holds the operating licence and carries on the business. In a day-to-day sense, it manages the services, sends the bills, employs the staff and provides the services, and SWIAC owns the assets. Owning the assets enables the whole thing to happen. SWIAC is also responsible for ensuring that the assets are refurbished and kept in working order and it controls the disbursement of the money for long term capital upgrading. The main irrigation assets are the diversion weirs, the channels, the pipelines and the drains. It is important to point out again that the Water Corporation still owns and manages the dams.

In the second reading speech the Minister pointed out that to effect this transfer of the corporation's assets he publishes the details in the *Government Gazette* and outlines who is the statutory owner, the assets to be transferred, the affected land and the name of the transferee. The second reading speech states -

...where the detail in relation to the assets would be voluminous, provision is made for the assets to be set out in schedules that need not necessarily be published in the *Government Gazette* but that must be available for public inspection.

As I said, the Opposition is concerned about the lack of accountability.

In my first three years in Parliament I had the privilege of being on the Joint Standing Committee on Delegated Legislation. My experience was that many regulations were difficult to understand, even with a research officer summarising what they mean. One often wonders what is their point and what are the practical effects of implementing them. That is why I have difficulties with this simply appearing in the *Government Gazette*. Parliament does not have a committee research officer going over these regulations, let alone members scrutinising them.

I raise these concerns in light of problems raised with me recently about the sale of reserves of land by government. Those sales are initiated by the Department of Land Administration and are driven by the Premier's department. When I asked parliamentary questions about this issue and looked at some of the reports, it was apparent that many reserves have been sold off. There is no problem with that; all Governments do it. However, the issue of accountability arises when locals become concerned that a reserve which they regarded as valuable and which they have always assumed had a certain purpose is suddenly sold.

There was quite an uproar about this in the Shire of Mundaring. The Government has now changed the way it sells the reserves and it involves the community much more. The community is quite interested in what the Government is doing with its assets and that which it can do to improve accountability will have the Opposition's support.

I have some problems with the Bill because it is very difficult to read. There is some strange language and grammar.

Mr Osborne: It was written by a doctor.

Dr EDWARDS: Then I should be able to understand it.

One clause provides -

Except as agreed, any proceedings or remedy that might have been commenced by or available against or to the transferor in relation to the assets may be commenced and are available, by or against or to the transferee;

I have tried reading that putting in all sorts of pauses, full stops and commas. I think I understand it, but given that I am not lawyer and that lawyers will be looking at this -

Mr Bradshaw: They certainly have a different brain from you and me.

Dr EDWARDS: Absolutely.

There is a number of other similar clauses. For example, reference is made to "specified things". That sounds like something out of the Addams Family. We could have more clarity about what is meant, and for that reason I have asked the Minister that we go into Committee. I understand that some of the land affected by these transfers is privately owned. At the moment the Water Corporation has easements over private land because of irrigation or drainage. It has right of access and it is effectively transferring that right. Are there any liability or constitutional questions about the Government's transferring these assets not to another arm of government but to private operators?

Other concerns raised with the Opposition relate to the question of environmental damage. If it were found that irrigation channels or drainage systems either had been or were after the transfer causing environmental damage, we are not clear who would be liable - the cooperative or the Water Corporation.

Although the Opposition supports this Bill, we have some concerns. We thank the Minister for taking those concerns into account, and we hope that in future we can deal with transfers on a case by case basis to ensure that they are fully accountable and serve the State in the best possible way.

MR CARPENTER (Willagee) [5.20 pm]: I, like my colleague the member for Maylands, support the Water Services Coordination Amendment Bill. I have been asked to call upon my expertise in drainage and irrigation and apply myself to how we can improve this important legislation. After due consideration and consultation with my parliamentary colleagues, I believe that we will be able to effect some changes which will improve the legislation out of sight. I was not joking when I said that this is important legislation. It is important because of its precedent setting nature. We all as parliamentarians, and specifically I, have realised that we deal in a great deal of ignorance with much of the legislation that goes through the Parliament. This is one such piece of legislation, which was quietly sliding through the Parliament without much scrutiny and understanding by members who would inevitably vote on it. We realised when we studied this legislation at some length that it had the potential to set the framework for similar dispositions of irrigation channels and drains without reference to the Parliament. It is important that we do not set a precedent for divestment of large and valuable public assets without reference to the Parliament, which is what this legislation, without amendment, would do.

This legislation will allow the Water Corporation to divest public assets and to assume, rather than transfer, a debt of some \$20m, with an ongoing interest component which is labelled a public service obligation. I find it interesting that the Water Corporation is prepared to go to those lengths at the same time as it is telling metropolitan constituents whom I represent in Hamilton Hill and Coolbellup that they must pay a fee, which they believe they should not have to pay, for the provision of infill sewerage. Those sewerage facilities have been installed, and people have been told that their properties must be connected to the sewer by a certain date several years hence, which is not unreasonable. However, people who have not elected or are unable at this stage to afford to connect to the infill sewerage facilities are rated as if they were connected, because of the cost recovery nature of the installation. Several of my constituents have come to me with a rate bill several hundred dollars higher than they anticipated because they are now in an area which is connected to deep sewerage even though their homes are not. It is interesting to see the discrepancy in attitude between what the Water Corporation is prepared to do in areas such as Harvey and Collie and what is applying as an ironclad law in the metropolitan areas which I represent.

Mr Bradshaw: It does that in Harvey, Wiluna and everywhere else.

Mr CARPENTER: I thought a more consistent philosophy would be adopted across the board.

Dr Hames: It is: Everyone pays, not just people in the metropolitan area.

Mr CARPENTER: In this case, the Water Corporation is prepared to take on a large debt of some \$20m, with an annual interest component of \$2m, so that it will not have to transfer the debt to the group that will control the drainage and irrigation facility.

Dr Hames: It is just a book debt.

Mr CARPENTER: It is nevertheless a debt. At the same time, a valuable asset is being transferred from government hands.

Mr Bradshaw: It is a liability, not an asset.

Mr CARPENTER: It is a book asset, is it not? The documentation states that the value of the asset is around \$19.6m. It is an important point that one philosophy is being applied by the Water Corporation in one activity and a different philosophy appears to be applied in another activity, to the detriment of my constituents who are on low incomes and unable to find suddenly an extra several hundred dollars to pay a connection charge for a facility to which they are not connected.

I ask those people in the Water Corporation who are taking an interest in the progress of this legislation through the Parliament to consider whether some alleviation can be provided for my constituents, because this charge is unfair to many people. As the Water Corporation begins to connect low income areas to infill sewerage, rather than the more affluent areas in which infill sewerage appears to have been installed first, this will emerge as a consistent problem.

Dr Hames: That is not true. Areas like Morley and Bassendean were among the first to be connected. It was done on an environmental rating.

Mr CARPENTER: I ask that the matter be looked at, if possible.

The most important point with regard to parliamentary scrutiny and government accountability is that when the

Government is prepared to divest itself of a considerable public asset, which was described in the 1995 report by Pierre de Kock as having a book value of \$19.6m, the Parliament should be kept informed. I believe that this and any future matter of this nature should be brought to the Parliament.

I will dwell for a moment on the difficulty of advertising a process such as this in the *Government Gazette*. The voluminous nature of the notification of this asset divestment should not inhibit the Government from at least stating in the *Government Gazette* that this process has been undertaken, because, like it or not, and although the Government may argue that the *Government Gazette* is not read widely, it has a certain importance as a record of the Government's activities, and a financial activity as important as this should be recorded in the *Government Gazette*. The legislation does not appear to specify, if notification in the *Government Gazette* will not be required, where the notification shall be published. It states that publication or notification will be made, but no specific reference is made.

Dr Edwards: It must be available for inspection.

Mr CARPENTER: Yes, but it is not specific about where it might or should occur.

Dr Edwards: It is even worse. It must be available for inspection by the public at a place identified in the order. If the order is not published where does one find out where the place is?

Mr CARPENTER: That is a valid point. This sort of information must be published in a specific place. If it is not published in the *Government Gazette*, it must be available at a known source. Legislation which does not make that provision is not tight enough. Circumstances may arise - I do not say it will happen under this Government or under a Government constituted by members on this side - in which a Minister might choose to undertake an activity such as the divesting of irrigation and drainage facilities without necessarily wanting anyone to be informed. That may occur in some hypothetical circumstance in future. We should be aware of the possibility and guard against it because the Government of the day has a responsibility to do everything it possibly can to keep the people whom it represents as informed as humanly possible about activities it is undertaking. If a process such as the one in this legislation is not to be recorded in the *Government Gazette* the Government has a responsibility to make it known where such notification would take place. It may be that advertisements should be placed in the daily newspaper stating that the information is available for inspection at the local government authority in the area where the activity might take place - in this circumstance, perhaps at Harvey or Collie. It is not good enough to leave this in such an unframed way that notification shall occur and not specify where or when. We should have a closer look at that element of the legislation.

We have the aspect of bringing it before Parliament: If this is to be the framework for future activity, part of the framework should be that the divestment of assets of this nature should be brought before Parliament; and that notification be made in the *Government Gazette*. If, for some reason, that cannot be the case there must be a specification about how, where and when notification will occur.

Another point for attention is the subsequent control of the assets. There is probably a simple answer to this but it is not obvious from the wording of the Bill. I am aware that that control will move into essentially private hands, but the irrigation channels and canals, in many circumstances, traverse wide areas through many people's properties. Who will have ultimate responsibility for the maintenance of the canals, ditches and channels? The canals are often considered a public utility, and public access to them is freely available where they cross crown land, and so on. The important aspect is if we are taking beneficial ownership from the control of the Water Corporation and placing it in a cooperative's hands, who will have ultimate authority over the maintenance of the channels and ditches and the control of effluent being discharged, and so on? It will be useful if the Minister can provide some clarification along those lines.

The history of the irrigation channels in the south west is long and rich. In many ways, this change represents the end of an era. This is an important development for people in the south west where the facility is important for agricultural and community life. It is unfortunate that this legislation does not specify exactly the future, the control and detail of the exchange when the asset is transferred from government hands, after all these years, to cooperative hands or private enterprise. Several elements in the legislation must be addressed and tightened or at least explained by the Minister to provide some future reference. I assume that some amendments will be announced by the Minister.

Dr Hames: Yes.

Mr CARPENTER: In that case, I finish my comments here.

MR BRADSHAW (Murray-Wellington - Parliamentary Secretary) [5.36 pm]: A large part of my electorate contains the south west irrigation system. The Labor Party began these changes in 1990, but it has taken all this time to bring about these changes in the south west. I admit that I did not think that the farmers would take on the system because

it is a big responsibility. Their job is to farm, not to run irrigation systems. Their motivation was a fear of rising costs, because Governments of any persuasion usually seek to embrace a user pays policy rather than to provide subsidies. The cost of running a drainage or irrigation system over the years has been a liability for any Government even though an asset value has been placed on the system. It is considered a book value liability, not necessarily providing money every year, and a component for infrastructure was put in place many years ago.

The history of the south west irrigation system is very interesting. It was built during the Depression by sustenance labour from all over the State. Single men worked one week on and one week off and married men worked two weeks on and one week off. They lived in tents and carried out their work using horses and wheelbarrows. It would have been very difficult to dig the soil because it sticks to the shovel. However, the job was done. At the same time, they diverted the Harvey River towards the ocean. Instead of the water flooding the Mandurah area, it was diverted towards the coast. Therefore, the system served a dual purpose.

The member for Willagee indicated that he thought there was a discrepancy between what happens with a sewerage and an irrigation system, and that people were being subsidised. He is correct. However, it is very important to retain irrigation systems because of the high cost of water to farmers, particularly beef farmers. The value of beef is so low that many farmers have ceased irrigating. They still pay rates but they do not receive the water because they cannot afford it. The south west is undergoing a transition. More people are taking up horticulture, and planting orange and mandarin trees. Grapes are being grown in great abundance.

The Harvey red globe table grapes are the best in the west, and wine grapes are now produced in the Harvey area. The water is being value added at a better rate than with the traditional practice of growing grass. It is important for future food production in Western Australia that all irrigation areas are maintained. A subsidy in the meantime, if necessary, will not be such a bad thing. Although people see farmers as rich, they are not all rich and I am aware that some beef farmers are struggling with their returns. It is very important that we retain that area.

I am totally opposed to the irrigation area being subdivided into housing blocks or special residential areas, which to some extent has occurred, as it is important to retain broadacre farming as much as possible for future food production.

The group now running the irrigation area has introduced cost reducing efficiencies into the system, and it will face the problem of maintaining the irrigation channels in the Harvey central area, which has been piped in a much more efficient system. However, putting pipes throughout the system would be a very expensive alternative, and I cannot see it happening for a long time. Many irrigation channels are on the verge of replacement, so in the next few years a high maintenance cost will be involved with upgrading or replacing the irrigation channels. The history of the south west is steeped in these irrigation systems from Wiluna down to Dardanup. It is important for the future production of food in Western Australia that the systems are economically viable to ensure that the farmers stay in production.

DR HAMES (Yokine - Minister for Water Resources) [5.42 pm]: I thank the Opposition for its support, albeit qualified, of the Bill. The Government is happy to respond to the two areas of concern raised by members opposite regarding, first, limiting this Bill to the south west irrigation district and, second, publishing details in the *Government Gazette*. We will arrange for parliamentary counsel to draw up amendments prior to the Bill proceeding to the upper House, and we will discuss the amendments to reach agreement before their introduction into the other House.

I am pleased that the Bill has finally reached this stage as it has been a long time coming. The south west irrigation group has taken a big step in assuming responsibility for a major asset, and I congratulate those involved for their efforts in taking on that role. I will ask the member for Murray-Wellington to pass on further congratulations to those I have already given.

The member for Maylands was right: The Bill was prepared to cover a broader area; it was designed to cover not only the south west irrigation district, but also the Ord irrigation scheme down the track. Therefore, every time we wanted to transfer an asset, we would not need to follow this procedure in Parliament. I accept the member's point that this is an important matter and should be brought to Parliament, and that comment applies particularly to the Ord River irrigation scheme. We are happy to bring those schemes back to Parliament through legislation on an individual basis. The Opposition is being cooperative with this Bill, which I hope will be the case in the future. Also, I hope we receive the same cooperation from the people in the relevant areas in proceeding with the schemes.

The Ord River scheme is currently managed by a farmers' cooperative, as initiated in 1996, and a new agreement has been written and signed with a planned handover date in July 1998. The cooperative will take control of the irrigation assets outside the main canal, and the Water Corporation will maintain ownership of the canal and dams and associated structures. It is going well. I visited a fortnight ago and inspected the area with the irrigation group. Significant changes were made by the independent group which the Water Corporation management was unable to achieve. For example, the pumps taking water out of the lower dam into the canal used diesel motors, the noise from

which was driving everybody crazy. The cost of government securing power from Western Power to change to electric motors was excessive. However, the management committee was able to negotiate a significantly lower power rate with Western Power which made the change in pumping device economically viable. The motors can now hardly be heard. Four or five pumps are driven by a quiet electric motor which can hardly be heard from 20 or 30 metres away. That was one immediate benefit.

Also, for a long time canal maintenance did not clear out the silt build up. Before handing over the asset, a project has been contracted out by the Water Corporation to clean out the canals. Again, that was a tremendous benefit.

The second project to which the member referred was Camballin. I have no information on that scheme. The Water Corporation owns no assets, and I understand that it is a private enterprise project.

I have had extensive negotiations with the Preston Valley group, which wants to take over the assets and the dam with that local scheme. We are currently negotiating the price of the dam from the Water Corporation and I hope that it will be settled in the near future and we can enable the local cooperative to take over the asset. They want to put down some more bores and expand the irrigation district. A very good group is managing that facility, and I am sure we will achieve an equitable result. That proposal will come back to Parliament for its scrutiny.

The fifth scheme listed, which the member did not mention, was the Carnarvon scheme, for which we are adopting a new structure with a board managing the assets, and a local growers' subcommittee looking after the water allocation. We hope to set that up in the next two years so we can transfer it to a local cooperative to manage the asset.

Regarding the costs involved and the losses incurred, the member for Maylands mentioned the figure of \$9m in 1992-93, \$8m and \$1.1m. I am not sure whether that was a misprint - I will check - but it may not be so because when the Water Authority became the Water Corporation, the Water and Rivers Commission and the Office of Water Regulation, those assets were written down to zero in the books of the Water Authority before they were transferred. The Water Corporation took them on with an asset value of nil in order to have them ready for the handover of the asset to the irrigation cooperative. It was done as part of a prepared plan. This process is in line with the Council of Australian Governments' reforms, which I will address later in considering the member for Willagee's comments about the cost of assets and transfers.

Drainage, which is a separate matter, certainly runs at a loss. The Water Corporation charges are based on the capital value of assets, and the capital value listed in the books is not the asset value when they are built in the first place; it is a depreciated value at replacement cost. Therefore, when the asset needs replacement, funds are available to cover that cost; they are built into the system. To some degree that covers the loss that is involved. I will come to the Council of Australian Governments' reforms and the issue of community service obligations and how that works for country assets versus city assets.

The member was correct because the South West Irrigation Asset Co-operative Limited holds the assets and the South West Irrigation Management Co-operative Limited is the licensed holder and the manager of those assets. One reason for that is for tax purposes. Another important reason is that where the Government hands over an asset that has a book value of \$20m and the new cooperative mismanages the asset and goes broke, the Government does not want that asset sold off to someone else to pay the debts of the management group. There is a specific reason for having the assets held by a separate group. An asset will always remain in the hands of SWIAC, the asset holder, and SWIMCO will manage the asset on behalf of SWIAC.

I appreciate the member's comments about the publication in the *Government Gazette*. One of the problems with publishing the list of assets to be transferred is the large number of assets; for example, irrigation canals and pumps. The list would be enormous. The Government will look at how to do that and it will discuss it with the Opposition. Perhaps a list of the major assets could be published in the *Government Gazette* and people advised from where they can obtain a list of all the other assets.

The member for Willagee commented on sewerage rates. It is a statewide policy, not just a city policy, that when the sewerage infrastructure goes past somebody's house they must pay the sewerage rate. I appreciate the difficulties that raises for people on low incomes. Schemes are in place to allow people to defer immediate payment of their rates. It is an \$800m project and \$70m a year goes into providing that asset. The reason for an infill sewerage system is for environmental purposes because it alleviates the risk posed by septic systems. The cost structure would not work if people were not charged sewerage rates.

Mr Carpenter: A problem which was brought to my attention is that there is sudden notification that householders have a rate bill which is several hundred dollars more than their previous bill. Perhaps there can be a 12 month lead in of notification. The first notification a householder receives should be that their next rate bill will include sewerage rates. It would give people the time to make the adjustment.

Dr HAMES: I will look into that, but I know that in my area the residents knew two or three years in advance when sewerage would be installed and that they would be obliged to pay a sewerage rate. One thing members should realise is that the value of a person's property increases by \$10 000 to \$15 000 when the sewerage infill system passes their home.

Mr Carpenter: That is no good if they cannot sell their home.

Dr HAMES: That is right. Schemes are in place to offset the costs. I will get the Western Australian Water Corporation representative to look into that and provide members with all the information on the schemes available to assist people to defer their sewerage rates.

If the Government did not charge sewerage rates and people decided never to connect to the sewerage scheme the cost structure of infill sewerage would fall apart. It relies on the additional moneys to cover the cost of the scheme.

The \$20m debt is a book debt. It is not a real debt in terms of the cost of the asset. It is an inflated replacement cost of that asset, but it is a debt that is written off. As part of the COAG reforms the Government must make sure that any subsidy must be transparent. It is unusual to receive complaints from the city about subsidy schemes because nearly all of the schemes are in the country. Most of the work that is done in the country by the Water Corporation runs at a loss. It is seldom that the corporation breaks even; therefore, there is a CSO component. All the dams, pipelines and sewerage systems in country Western Australia run at a loss. The Government must pay back to the Water Corporation approximately \$180m a year to cover the losses incurred throughout the year on water provision to the country. The Government gets that back in dividends and taxation, so it balances out at the end of the day. It is recorded as a subsidy by the Government and that makes it difficult for the corporation to do any work in country areas. If I were to go outside the Water Corporation's guidelines every time I wanted to provide water to Newdegate and Jerramungup, towns which have been desperate for a water supply for years, it would involve an additional CSO. I would have to negotiate with Treasury to ascertain whether it would be willing to provide additional funding for water services in the country. My life is made very difficult when I try to get water to parts of country Western Australia which are very dry, particularly in times of drought. The Water Corporation has been cooperative in that area.

One of the main aspects of COAG reform is that the Water Corporation must divest itself of irrigation assets in regional areas and hand them to private consortiums to manage. They would not be able to operate if they had to pay the book value of that asset, therefore we have to write the value of those down to, in most instances, zero. In some cases we have not done that and Preston is a case in point. They will have to buy those assets from the Water Corporation because they were not written down to zero in the handover. If we do it under the Water Corporation's current structure, it will be shown on its books as a loss, therefore there will be less dividend to Government and less money for schools and hospitals. The Government must structure the costs and payments to Preston, Carnarvon and the Ord which will be handed over as required by the COAG reforms. It must work out how it will structure the value of those assets and undertake the calculations. It has some work to do on those.

I refer to the member's specific question on the maintenance of the asset. That is the purpose of this legislation. The law that sets up the Water Corporation gives it the power to go onto people's land to manage its assets; for example, the irrigation channels. SWIMCO does not have the right to go onto people's property to manage its assets, and this legislation will give it the authority to do that.

Sitting suspended from 6.00 to 7.30 pm

Dr HAMES: The member for Willagee has a small point of clarification which he wishes to make by way of interjection before I conclude.

Mr Carpenter: Which will be the governing authority over the drains and irrigation channels, if you are handing them over?

Dr HAMES: The South West Irrigation Asset Co-operative Limited as asset owner will be the management authority. The South West Irrigation Management Co-operative Limited, which is the management group, will manage the asset but be overseen by SWIAC as the body monitoring the asset.

Mr Carpenter: I am not asking which of the private bodies will govern the other but which arm of government will have authority over what goes into the drainage channels and what happens to them?

Dr HAMES: Once they are handed over to the private sector there will be no government controlling body, other than I presume the Minister for the Environment. If anything is done contrary to the Environmental Protection Act, it will be responsible. Certainly the Water Corporation will have no responsibility.

Dr Edwards: Presumably the Office of Water Regulation will have a role.

Dr HAMES: That is true. As the licensing body, the Office of Water Regulation will have some degree of control over waterways. If the private body does something inappropriate about pollution of waterways, that will come under the Minister for the Environment.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Ainsworth) in the Chair; Dr Hames (Minister for Water Resources) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Part 3, Divisions 10 and 11, inserted in *Water Services Coordination Act 1995* -

Dr EDWARDS: I have two questions relating to page 3. Part of the rationale of my question is my conceptual difficulty with trying to envisage what this might look like in the future. First, who will be the statutory asset owner? Could the Minister give a few examples of different circumstances? Second, at the bottom of the same page it reads that the transfer order must be available for inspection by the public at a place identified in the order. What sort of places does the Minister have in mind? Would they include Water Corporation offices?

Dr HAMES: The statutory asset owner is any body, such as the Water Corporation, or in this case SWIAC. There are a number of options in answer to the second part of the question. They could include Water Corporation offices, the Bunbury offices of Aqwest, as it is now called, the city library in Bunbury or suitable places where people might wish to seek access.

Dr EDWARDS: Line 9 on page 4 of the Bill refers to the "transfer day". I am confused because there are now presumably two transfer days. Will the Minister clarify that in a practical way? My problem is with the last few words of proposed subsection (4).

Dr HAMES: I am advised that in the lead-up to transfer day, some amendment may be needed to the details of the assets to be transferred. In that lead-up time I can amend the list of assets to be transferred. I have to publish the details in the *Government Gazette*. It might be an addition or a subtraction. More likely it will be an addition to the list as other assets are identified. Once the assets are transferred, the process is concluded, and I cannot go back and say that other assets are involved and subsequently make another transfer arrangement.

Dr EDWARDS: If the process is evolving, presumably the Minister will set up a mechanism so the public will know at the end exactly what has and has not been transferred.

Dr HAMES: That will come about because all this must be published in the *Government Gazette*, by agreement with the member, as I have stated. Any amendment I make to the list will be an additional notification in the *Government Gazette*, which people will then be able to access. Of course, the full list of the assets being transferred will be publicly available through places such as the library. We do not expect amendments to the list will be necessary. A full list of the assets to be transferred should already exist. This clause is in the Bill so that, when we get to the final wash-up of all the assets and publish a list, if subsequently additions are found, we will have a mechanism to ensure they are included on the list.

Dr EDWARDS: Earlier I read proposed section 46C(c). It has no commas or full stops and it is very hard to understand. Is there any way to make it simpler?

Dr HAMES: We are both having trouble with the legalese of this clause. We understand it means that if there is any dispute over an asset that is being transferred by the Water Corporation to SWIAC, any proceedings must be resolved before the transfer of those assets. The assets cannot be moved to SWIAC if it then must defend the transfer.

I agree this is a very complex clause and the best I can do is to make sure I get an opinion before it goes to the other place. I will make sure that either the wording is amended to make it more understandable or there is a concise explanation of what the words mean.

Dr EDWARDS: Proposed section 46D, under the heading "Transferor to complete necessary transactions", refers to "whether because it is governed otherwise than by the law of the State, or for any other reason". What is meant by those words? Can the Minister give me a practical example?

Dr HAMES: I am advised that is a legal term to cover any possibility which may arise; for example, where there is no ability to transfer an asset to SWIAC, whether because of some law of the State - some legal reason - or for any other reason, without specifying what it might be. It is a security clause more than anything else. It is legalistic

jargon to make sure everything is covered so that the transferee can still be deemed to have the asset and to operate it until the issue of ownership is resolved. In that way the asset will not just lie there unable to be used because of some difficulty with the transfer.

Dr EDWARDS: Proposed section 46E relates to exemption from stamp duty. What is meant by "a specified thing" in proposed subsection (3)(a)? Will the Minister explain this more clearly? I assume it is not so widespread that it must be called a specified thing.

Dr HAMES: It is a legalistic term. The previous part of the proposed section refers to "anything that occurs" or "anything done". It then refers to a specified thing, as opposed to a specified item, process or occurrence. Those words have been used in the drafting to refer to things.

Mr CARPENTER: Proposed section 46F is headed "Assets no longer required". Will the cooperative be able to on-sell the assets?

Dr HAMES: Under the legislation as it stands it will be able to on-sell the assets, but under the proposed amendments it will be able to do that only with the agreement of the Parliament.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Dr Hames (Minister for Water Resources), and transmitted to the Council.

ACTS AMENDMENT (AUXILIARY JUDGES) BILL

Second Reading

Resumed from 19 June.

MR MCGOWAN (Rockingham) [7.54 pm]: A number of opposition speakers will address a number of aspects of this Bill. I will concentrate on the amendments to the Supreme Court Act that provide for the appointment of retired judges and other qualified persons from outside the ranks of the judiciary for up to 12 months to fill in for judges who are on long service, annual or sick leave in order to alleviate the backlog in the Supreme and District Courts. Judges retire either because they have had enough in filling the position of judge or because the Judges' Retirement Act requires them to retire once they reach the age of 70.

In 1977, the Commonwealth Government amended the Constitution to prevent judges of the High Court, the Federal Court and Family Courts from continuing to serve as judges after they reach the age of 70. That enactment is currently reflected in state law. Section 72 of the Constitution states -

The appointment of a Justice of the High Court shall be for a term expiring upon his attaining the age of seventy years, and a person shall not be appointed as a Justice of the High Court if he has attained that age.

That provision is extended to all courts created by the Parliament of Australia. The final paragraph of section 72 states -

A reference in this section to the appointment of a Justice of the High Court or of a court created by the Parliament shall be read as including a reference to the appointment of a person who holds office as a Justice of the High Court or of a court created by the Parliament to another office of Justice of the same court having a different status or designation.

We must understand the context in which this provision was put to a referendum in 1977. That was in conjunction with another question. The referendums were designed to overcome the flaws revealed in the commonwealth Constitution during the crisis of 1975. The second provision put forward by Malcolm Fraser as Prime Minister was that casual Senate vacancies should always be filled by members of the same political party. That overcame the aberration perpetrated on the Australian people by the then Premier of Queensland.

The provision with which we are dealing tonight was the other part of the constitutional amendment which dealt with

the retirement age of judges. The Fraser Government was trying to avoid judges of the ilk of Sir Garfield Barwick, the then Chief Justice of the High Court of Australia.

Mr Prince: It was Lionel Murphy - the worst judge ever!

Mr McGOWAN: I am sure he was not over the age of 70 at that time.

The provision was to deal with judges of the ilk of Sir Garfield Barwick who obviously exceeded his authority in the crisis in 1975 -

Mr Cowan: You know better than that!

Mr McGOWAN: I know very well! The truth is that both Sir John Kerr and Sir Garfield Barwick -

Mr Cowan: You would not know the truth if it stared you in the face.

Mr McGOWAN: The Deputy Premier would know all about it! Perhaps we should have the same retirement rules in State Parliament. The provision was designed to overcome the situation that arose with Sir Garfield Barwick and to avoid the embarrassment of his sitting in the High Court after the 1975 crisis.

Mr Prince: How can you be such a revisionist of history?

Mr McGOWAN: The Minister should read his constitutional law books.

Mr Prince: I have.

Mr McGOWAN: What did they tell the Minister?

Mr Prince: What you say is not history as it occurred.

Mr McGOWAN: At the time of the constitutional crisis Sir Garfield Barwick was 73. A number of other judges had served into their seventies and eighties and quite inappropriately are still on the High Court bench. Sir Garfield Barwick is probably the most obvious example in the mid-1970s. Unfortunately he did not leave the High Court until 1981 when he was 79 years of age. Obviously there was a requirement for that situation to be addressed by the Fraser Government. It was addressed, but, unfortunately, it did not apply to Sir Garfield Barwick. However, I am sure the intention was that any future judge of that ilk would not continue to serve on the High Court beyond the age of 70.

The Australian people decided that no longer would judges serve past the age of 70. It was a judgment of the Australian people at a referendum which was passed by almost a record majority, and section 72 of the commonwealth Constitution sets out the retirement age for judges. Further, section 75 sets out the original jurisdiction of the High Court, and section 76 sets out additional matters for which the High Court can have original jurisdiction imposed on it by the Commonwealth Parliament.

Section 77 is the relevant provision here. It states that the Parliament of the Commonwealth may make laws investing any court of a State with federal jurisdiction. Therefore, the Commonwealth of Australia can make laws investing any court of a State with federal jurisdiction.

Mr Prince: Subsequently there has been cross-vesting legislation.

Mr McGOWAN: That followed in 1987.

We must consider the way section 77(iii) of the commonwealth Constitution has been interpreted. I refer here to *The High Court and the Constitution* by Leslie Zines, a noted constitutional scholar, which reads -

So far as State courts are concerned, they exercise federal jurisdiction whenever the Commonwealth (or a person suing or being sued on behalf of the Commonwealth) is a party, by virtue of s 39 of the Judiciary Act, made under s 77(iii) of the Constitution:

That is an acknowledgment that state courts under section 77(iii) can have that power imposed on them, as it was by the cross-vesting legislation. Further comment has been made by academics on that provision. I turn now to Lumb, my old constitutional law lecturer. In his book on the Constitution he states -

Section 77(iii) constitutes an exclusive source for investment of State courts with federal jurisdiction. There is some difference of opinion on the question whether State courts exercising federal jurisdiction remain State courts or for this purpose are treated as part of the federal judicature:

There is an argument that state courts that have been given federal responsibilities, as they often are, may become part of what is termed the federal judicature.

I am sure that the Minister is familiar with the Jurisdiction of Courts (Cross-vesting) Act. Section 5(4) states that certain matters that have been commenced in the Federal or Family Court can be transferred to the Supreme Court of a State or a Territory. Therefore legislation is in place, under section 77(iii), which enables commonwealth matters to be transferred to the States. That is also the case under the Judiciary Act relating to certain criminal matters in particular and in a number of other areas -

Mr Prince: It always has been, and under the commonwealth Crimes Act.

Mr McGOWAN: It is also formally laid out under the Jurisdiction of Courts (Cross-vesting) Act that it can take place in virtually any matter where no strict commonwealth jurisdiction is laid down under the Constitution where it would be in the interests of justice or a number of other factors that a matter be decided by the state courts.

That leads us to a problem: If one reads section 77(iii) of the Constitution together with section 72, and takes into account academic comment which suggests that state courts become part of the federal judicature when exercising commonwealth jurisdiction, it could be argued that the provision relating to the retirement of judges at age 70 should apply to state courts when they are exercising commonwealth jurisdiction. That is a very valid argument that the Minister has not addressed in his second reading speech. However, the matter must be considered by the Government prior to the passage of this Bill.

If we do not examine the issue and find out whether there is a serious concern about the Bill we may find that at some point in future when a matter has been decided upon by a judge beyond the age of 70, in the state Supreme Court exercising federal jurisdiction - for instance, in a Crimes Act matter - such a judgment could be considered invalid as an infringement of the commonwealth Constitution. One may say that if section 72 of the commonwealth Constitution is read literally it will apply only to commonwealth courts. My argument is that a series of judgments by the High Court in recent years did not read the Constitution literally. It is no longer the strict and complete legalism as it was in Barwickian days.

Mr Prince: You're kidding.

Mr McGOWAN: That is a matter for judgment.

Mr Prince: It is a matter of opinion - your opinion.

Mr McGOWAN: It is a definite concern that the Minister needs to address regarding judges aged 70 years. It could mean that judgments handed down could be subject to challenge and be ruled invalid.

The second concern is not something I regard seriously, but it should be taken into account: A referendum decided that judges should retire at the age of 70 years, and the vote was approximately 80 per cent in favour on that question. Of the 42 commonwealth referendums held, only eight questions have been agreed to, and that matter received the second highest yes vote.

Mr Prince: The highest was in 1967 in relation to the vote recognising Aboriginal people.

Mr McGOWAN: Yes, and both the 1977 and 1967 referendums were approached in a bipartisan manner, unlike a number of other matters which should have received the same support.

Mr Prince: But your side of politics pulled out.

Mr McGOWAN: We have always supported constitutional amendment.

Mr Prince: Ha!

Mr McGOWAN: Read the history books.

Mr Prince: I shall read the accurate history books, not the stuff of apologists like you.

Mr McGOWAN: The Minister should definitely read his history books. I acknowledge that the Minister was around at that time, but the effluxion of time must have affected his memory.

Mr Prince: Nonsense.

Mr McGOWAN: Anyway, the judgment of the people of Australia was that judges should retire at the age of 70 years. An argument is that judges over the age of 70 years have not received the will of the people. I note the comments of the Liberal and National Parties in relation to referenda; namely, they say that judges should be elected.

Mr Cowan: They are not saying that.

Mr McGOWAN: Talk to your Attorney General; your coalition colleagues are saying that.

Mr Cowan: Again, that is an expanded version of the truth. You refer to a certain member of the coalition.

Mr McGOWAN: He is your Attorney General.

Mr Cowan: He is still only one person. For you to blandly say that everybody is making that statement is a misrepresentation of the truth; you're very good at doing that.

Mr Riebeling: Does he speak for the Government in legal matters?

Mr Cowan: Of course he does.

Mr Prince: The Attorney General said that if the High Court is a political organ, it should be elected.

Mr Cowan: With which I do not agree.

Mr McGOWAN: A number of the Minister's colleagues are constantly telling us that referenda should be held on a range of issues, such as native title, and the Attorney General has stated that a vote should be held on the appointment of High Court judges. A degree of hypocrisy is involved as the Government will flout the clear intention of the people of Australia when they passed the 1977 referendum. It is a very valid argument which the Minister needs to address in reply to this debate.

Two issues relate to this Bill: First, a real danger exists that judgments by judges aged over 70 years in the state Supreme Court in relation to federal matters could be struck down as invalid. Second, the Government may well be flouting the intention of the people of Australia as expressed in the referendum of 1977.

MS ANWYL (Kalgoorlie) [8.13 pm]: The Opposition supports the legislation, which reflects some commonsense. Certainly, provisions relating to the relief of masters by principal registrars in the Supreme Court is well overdue as it will assist the smooth operation of the court.

The second reading speech delivered in this House was fairly brief, but I have a couple of questions to be addressed by the responsible Minister. The principal issue is the balancing of the existing system, which provided for commissioners, as opposed to the short term appointment of judges. It is for a period of only 12 months -

Mr Prince: Maximum.

Ms ANWYL: - maximum that each appointment can be made, and I have concern regarding the past practice of appointing commissioners, which was to some extent a training ground for new judges in the superior courts. Certainly, some concerns relate to a principle much voiced by the current Chief Justice of the Supreme Court; namely, gender equity and how it might be furthered by the court. I can say with absolute accuracy that not one appointment of a female will be made in the short term under this legislation as we have no former female judges. I hope that the situation can be remedied in the short term.

Mr Prince: It would only be in the unlikely circumstance that one of the lady judges retired and declared herself available.

Ms ANWYL: Given the age and capability of the judges, that is fairly unlikely in the short term.

Mr Prince: I agree.

Ms ANWYL: Will there be any use of the commissioner system under this measure? That important point is unclear in the second reading speech. This query arises from past practice of enabling commissioners to undertake some preparatory sitting as judges so they will have a smooth transition to the bench. Much debate arises from time to time in the media, within the profession and in the judiciary about training for judges, and it seems that we will remove one of the existing training grounds. It is important that it is recognised that those training opportunities are currently limited.

I implore the Government to acknowledge that this is a stopgap solution to a broader problem; that is, the sensible deployment of resources. On that basis, the Opposition supports the legislation. However, given the number of people languishing in our prisons on remand for considerable periods - I acknowledge that we are better off than many other States in this regard - we must address a basic public policy issue; namely, that innocent people should not be held for longer than is absolutely necessary.

Mr Prince: Innocent or guilty, the accused should have his or her day in court as soon as possible.

Ms ANWYL: That is right, but it becomes a particular issue: If an innocent person is acquitted, there is no recompense for the time spent in custody, but a guilty person has the period of incarceration taken into account in sentencing. It is an important point.

Resolving the general issue of staffing of our judiciary cannot be seen in isolation from the problem of the physical resources allocated to courts. I am sure that the Minister will agree with me that problems exist in many of our regional centres with the quality of courtroom space available to the courts. In this circumstance, it is little use having plenty of judges who can sit in a variety of jurisdictions. In my electorate, it is not uncommon to have judges visit from the Supreme, District and Family Courts at the same time and possibly the Industrial Relations Commission, as well as one or two Magistrates sitting in both Petty Sessions and the Children's Court. That issue needs to be resolved, I hope in tandem with this issue. It is not much use having more judges in Kalgoorlie-Boulder as the courtroom space is not available in which to accommodate them.

We have a severe problem with criminal listings and extra sittings of the District and Supreme Courts have often been necessary to cope with that listing.

Mr Prince: Do people in Kalgoorlie get to trial faster than people in the city? In Albany people could get in the queue for a jury trial faster than people in the city.

Ms ANWYL: That was not the case in Kalgoorlie a few years ago when I was practising law. Kalgoorlie-Boulder has a lot of drug related crime. It has the highest intravenous drug use of all the regional centres and the statistics are readily available to prove that. Members must look at each region on its merits.

Mr Prince: In Albany we used to be able to say nine months from charge to trial, but you could not do that in the city.

Ms ANWYL: The problem is not as great in Albany because that town has less crime than other towns. Perhaps the Kalgoorlie police are more successful at detection.

Mr Prince: Albany has a smaller population and people have less disposable income.

Ms ANWYL: Another thing that must be taken into account with remand rates is that the problem is not only the economic and social costs incurred by individuals, but also the cost to the taxpayer of operating prisons. It makes little economic sense to have people in prison one day longer than is necessary. It costs approximately \$65 000 a year to keep a person in prison.

Mr Prince: That is in maximum security.

Ms ANWYL: I would be pleased if the Minister picks up the issues I have raised.

MR RIEBELING (Burrup) [8.22 pm]: I understand the Labor Party supports this legislation. I must have been out of the Caucus room when it decided to do that. Parts of this legislation should be quite vigorously objected to.

Mr Prince: You are an iconoclast.

Mr RIEBELING: One part of the legislation which annoys me is that judges who have passed the age of 70 can be retained as judges. For some reason people in authority, mainly lawyers, believe that judges who have reached the age of 70 are better at being judges than are newly appointed judges. It is cheaper for the State to remove the list of prospective judges and then appoint judges on a permanent basis rather than on a part time basis. Previously, when the Supreme and District Courts became clogged up the normal method of removing that backlog was to change the jurisdiction so that the lower courts would be the recipients of the overburden of criminal actions.

Mr Prince: We have done that.

Mr RIEBELING: That is right and it has been done to death and it cannot continue. Serious matters which used to be dealt with by the Supreme Court are now dealt with in Petty Sessions. That trend has reached a point where society will no longer accept the flowing down into the lower courts of any more criminal offences. This legislation gives the Government the ability to appoint people to the Supreme and District Courts when the time arises.

It is interesting that the Minister's second reading speech, although brief, refers to annual and long service leave. Presumably these issues were not considered when the Minister struck upon 12 months being the maximum time. I doubt whether annual leave and long service leave would require the appointment of an additional judge for 12 months.

Mr Prince: Many judges do not take their full leave entitlement in a year because of the pressure of lists and there is also the question of a very long trial.

Mr RIEBELING: I agree that in years gone by the Supreme Court always had additional justices to allow for leave and full utilisation of the buildings. That makes sense and it is time the courts had a serious look at the number of judges who are required to put criminal matters through the higher jurisdictional courts within a reasonable time frame. I think I heard the Minister say that some 18 months elapse between criminal charges being laid and the Supreme Court hearing.

Mr Prince: I said that when I was in practice in Albany the time from the charge to the trial was nine months and the member for Kalgoorlie said it was longer than that in Kalgoorlie. My experience is that it is quicker in the country than in the city. I do not know what is the waiting time in the city at the moment.

Mr RIEBELING: Looking at the publicity about notable criminal trials in the past five to six years -

Mr Prince: I suggest you look at the facts and not at what appears in the papers.

Mr RIEBELING: A person like Alan Bond is charged with an offence and 18 months later the case goes before the Supreme or District Court!

Mr Prince: It is an atypical case and that is the reason you should look at the average case.

Mr RIEBELING: The point the member for Kalgoorlie made is that if 100 people are in prison for a year and the cost is \$50 000 per person it is a considerable amount of money. A portion of that money could be redirected into employing enough judges so that the time offenders remain in custody is reduced to six months. The public does not have a great deal of sympathy for a guilty person waiting six months or more for a trial. However, when a person is found not guilty of committing an offence, it is unacceptable to most people in the community that that person has had to spend time incarcerated in the prison system.

I do not know the reasons behind the legislation to enable judges to sit beyond the age of 70. Are many judges coming up to that age?

Mr Prince: Yes, quite a number in the next five to 10 years.

Mr RIEBELING: The judges may be behind the push. A number of people do not like the thought of having to retire at any age. It does not give me a warm fuzzy feeling to see at the end of the Minister's second reading speech that this legislation is supported by the Chief Justice and the Chief Judge of the District Court. If there are two people who have a vested interest in the legislation it is those two people.

Ms MacTiernan: If the Attorney General has his way the Chief Justice will not be around much longer.

Mr RIEBELING: All the solicitors I have spoken to about this legislation appear to see the merit in this amendment. I cannot see any merit in it.

Mr Prince: Perhaps when you finish your studies you will.

Mr RIEBELING: I doubt that. I cannot see how a judge who has reached his seventieth year would be of greater value to the State than a newly appointed judge who is 45 or 50 years of age. I cannot see the great value that others see in a system that allows them to supplement their superannuation scheme, which is relatively generous. There is enough criticism of our superannuation scheme, but if we had theirs the roof would lift off. There is no thought of 70-year-old politicians staggering around here. I hope we do not see that day.

Ms MacTiernan: You are ageist.

Mr RIEBELING: When I am 70 years old I do not want to be sitting here listening to this. The Labor Party will be on the other side in two or three years and will stay there until I am 70 years old.

Several members interjected.

The ACTING SPEAKER (Mr Ainsworth): Order!

Ms MacTiernan: You will be in the Senate.

Mr RIEBELING: I could go to the Senate.

This amendment is not as good as some members think it is. It is a backward step to allow people to operate, in a judicial sense, once they are past the age of 70. That age has been struck because of problems that occurred in the High Court, which were set out clearly by the member for Rockingham. There is a reason for that and it should remain.

MS MacTIERNAN (Armadale) [8.31 pm]: The member for Rockingham has raised a very interesting constitutional argument; that is, appointing temporary judges over the age of 70 may well interfere with the cross-vesting jurisdiction of the state court given that a state court exercising its federal jurisdiction might well be a federal court. That matter should be given full consideration.

In the cross-fire of the exchange between the member for Rockingham and the member for Albany they forgot one very illustrious High Court judge whom I will not forget; that is, Justice Edward Aloysius MacTiernan, who was the

most elderly and long serving judge of the High Court. Unkind people might have thought that it was he who prompted people to -

Several members interjected.

Ms MacTIERNAN: It was Edward Aloysius, Attorney General in the Jack Lang Government.

Mr Prince: He was a pretty good tax lawyer.

Ms MacTIERNAN: He has been much underrated as a judge. One can trace many of the great Murphy judgments back to some of the more enlightened and progressive judgments made by Justice MacTiernan in the 1930s and 1940s. Of course, in those days he was a voice in the wilderness. With the coming of Lionel Murphy -

Several members interjected.

Ms MacTIERNAN: I am going back to the 1930s and 1940s. When was Justice Evatt on the bench?

Mr McGowan: He was on the High Court bench in 1936.

Ms MacTIERNAN: Justice MacTiernan was more in the mould of Justice Murphy. They were very creative and expansionary in their interpretations -

Mr Prince: You do the memory of Justice MacTiernan a great disservice.

Ms MacTIERNAN: That is not a negative reflection upon his capacity. He was promoting a particular interpretation of the Constitution and various pieces of legislation that was not taken up with any great enthusiasm until the 1970s. He was something of a visionary and underrated in his time. There was no doubt that some people felt that by the time he was well into his eighties, having been on the bench for nearly 50 years, it was perhaps time he moved on.

Mr Prince interjected.

Ms MacTIERNAN: He survived for quite some time after that, but alas no longer.

Dr Hames: Do you think he should have dropped out at the age of 70?

Ms MacTIERNAN: There is a case to be argued that, after a long time in the judiciary, one might become a bit remote from the pressures and the general values of the community. Our ambassadors and senior diplomats are a good example. Every three or four years they are required to return to Australia and do a spell here in order to keep in touch with the values and mores of the society they are representing.

Mr Prince: No they do not: They return to Canberra.

Ms MacTIERNAN: I do not suffer from "Canberra phobia", so I do not share that view.

Mr McGowan: Is that not where the Minister for Health is going when he joins the High Court?

Mr Prince: No.

Ms MacTIERNAN: By that stage we might have seceded. We have sent Ross Lightfoot as the advance guard of the secession movement. That is the only way Mr Foss QC will find himself in the most illustrious of legal positions, which is one he obviously seeks.

Perhaps judges serving for such a long time also risk becoming somewhat remote from the mores and values of the society upon which they are passing judgment. That is an issue not strictly related to age but perhaps to the length of time one has spent on the bench. Never let me be described as ageist.

The member for Kalgoorlie made some excellent points. To some extent, this legislation is patching up a more profound problem; that is, the need for us to expand the judiciary and to provide for more timely resolution of court matters. The honourable member quite rightly pointed out that many people gaoled on remand are ultimately acquitted and find they have lost a year or even two of their lives serving time for offences in respect of which they are found innocent.

This also relates to criminal matters where people are on bail. Most of us can understand the impact of having charges hanging over one's head for such an extended period. That results in one's life, both personal and business, being very much put on hold for a number of years. Of course, the same is true in the civil area. Private civil litigation causes great stress to people. An enormous amount of management energy also goes into running corporate litigation. Not having issues resolved in a timely fashion is a cost to business. We should address that issue as a matter of microeconomic reform.

I understand the comments of the member for Burrup. Initially I thought that there was some merit in what he was saying. However, I have some concern about the proposal that we take people from the bar or the litigation departments of the larger legal firms and place them on the bench on a temporary basis.

Mr Prince interjected.

Ms MacTIERNAN: The problem I have is that these people are still actively engaged in the field. One would hope that when people are appointed to the judiciary they would be more or less out of the commercial game and would not need to be mindful of the impact any decisions they made might have on their future practice. There is some sense in which, while being mindful of the concerns raised by the member for Burrup about the age of the participants, there might be some real benefits in using people who no longer need to consider the implications on their career when making decisions under their temporary preferment.

MR PRINCE (Albany - Minister for Health) [8.41 pm]: I have listened with interest to the points raised by members opposite. I am neither wiser nor better informed, but significantly entertained. I refer to some of the matters raised by the member for Rockingham. The substantive point raised about judges holding a federal commission in the High Court, Supreme Court or Family Court having to retire at 70 years of age is a good point. With regard to the Supreme Court and the District Court, even under cross-vesting and the provisions that have existed for a long time under the commonwealth Crimes Act and other federal criminal legislation, it is a matter of listing to ensure judges of the nature this Bill contemplates who are sitting temporarily in Supreme and Districts Courts do not hear those cases. They will mostly be areas involving criminal matters. Not all but most commonwealth criminal matters dealt with in the Supreme Court relate to the importation of drugs. Many of the others are dealt with in the Magistrate's Court, particularly social security fraud.

Ms MacTiernan: There are also a lot of commercial areas.

Mr PRINCE: I have not reached commercial areas yet, I am talking about crime. In criminal matters, the Supreme and District Courts exclusively exercise commonwealth jurisdiction in a relatively limited area. I subscribe to the view that a state court exercising jurisdiction under commonwealth law is likely to be considered to be a commonwealth court for the purposes of retirement age. It would be unsafe in any event to run a listing system that gave anyone that risk, particularly in criminal matters.

Mr McGowan: There is nothing to guard against it.

Mr PRINCE: It is a listing matter and not a legislative matter. It is a matter of looking sensibly at the listings in any particular week, month or other period and ensuring that a judge older than 70 years acting in a temporary capacity during the absence of some other judge does not sit on matters that have a commonwealth flavour. The same thing applies in commercial matters. If a commercial case is being handled before the court where there is commonwealth jurisdiction and there is real uncertainty, it is incumbent on the courts to ensure a judge who hears the case is not over the age of 70 years. It is a matter of administration of the courts. We are not talking about half the Supreme Court being made up of judges over the age of 70 years at any one time.

The Supreme Court has between 17 and 20 justices at the moment, and at any one time at least one is on leave. From time to time others are on long periods of leave. It is a matter of bringing in retired judges, where appropriate, in order to handle overflow in the criminal area where there is a backlog and particular cases are known to be lengthy, because that can take an active judge out of circulation for far too long and cause all sorts of consequential problems down the line.

Ms MacTiernan: In the commercial matter -

Mr PRINCE: If someone pleads commonwealth law in a commercial case, and the Trade Practices Act is a classic case -

Ms MacTiernan: You would have to read the pleadings before listing the matters.

Mr PRINCE: One hopes that is done anyway. Civil litigation these days involves enormous amounts of mediation and judge control before it winds up at a hearing. The pleadings are not only well read, but in most instances they are also directed by the courts.

Ms MacTiernan: Are they read by the people determining the listings?

Mr PRINCE: Of course they are, otherwise they have no way of being able to work out how long a matter will take. Litigation is not left to the profession today; the process has changed a great deal over the past 10 years and particularly in recent years. It is much more the case that the court has a good deal of influence on the way litigation happens, particularly from the point of view of time.

Mediation is involved more and more, and judges over the age of 70 years are not involved in mediation. Most mediators are taken from outside the judiciary. A person over the age of 70 years may act as a mediator, but not in a judicial sense. The matter raised was a good one in that it is a real problem and has weight, but it is a matter for the administration of the law once this becomes the law.

Mr McGowan: Have you examined it before tonight?

Mr PRINCE: Yes, of course. It is an obvious commonsense issue that needs to be addressed. This system is working at the moment in the United Kingdom and in other jurisdictions. I understand South Australia is doing it, so it is not new in Australia.

Mr McGowan: I acknowledge that administratively in 99 cases out of a hundred there may not be a mistake, but what happens if there is?

Mr PRINCE: It means in a criminal case that the judge who presided was not competent as a judge and the trial is a nullity. That is a monumental consequence. It is not difficult to work out whether it is an indictment under the commonwealth Crimes Act, as opposed to the Criminal Code or the Misuse of Drugs Act. If an error were made, surely counsel would pick it up. Most lawyers look for this sort of thing because the last thing they want is a nullity because of a technical problem. I am talking about the overwhelming majority of cases. There are a few which are exceptional.

Mr McGowan: Is that good enough? Should there be something that makes sure it will not happen?

Mr PRINCE: No. A clause could be included providing that no judge over 70 years of age will sit in a commonwealth jurisdiction matter being heard in the District or Supreme Court, but it could still happen because the administration might not get it right. Whether or not it is included, the administration must, and will, get it right.

Mr McGowan: They would certainly be more aware if it were included in the legislation.

Mr PRINCE: I doubt it would make them any more aware than they are now. They know they must work around this, and it is not that difficult. If the Supreme Court or the District Court were spending half their time on commonwealth jurisdictional matters and the other half on state matters, this would be very difficult to do, but a small amount of court time is spent on commonwealth jurisdictional matters. Most civil actions that rely on commonwealth law are heard in the federal court, and because of the cross-vesting it may well be the better place to do it.

With regard to the comments about the 1975 constitutional crisis, I was in practice at the time.

Mr McGowan interjected.

Mr PRINCE: The member for Rockingham can make all the remarks he likes -

Mr McGowan: You were a Whitlamite at that stage, were you not?

Mr PRINCE: No. Whatever else the member says, the history is clear. Not only did the Governor General do his duty as he should have done but so also did the Chief Justice. If members want vindication for his action, the only defeat at the polls that has exceeded what happened to Whitlam in 1975 was what happened to Keating last year. That was the biggest defeat of a sitting Labor Government in the history of the federation. Prior to that it was Whitlam's defeat in 1975. The people spoke and they vindicated everything done at that time. As a lawyer I know perfectly well that what was done was correct.

Ms MacTiernan: Are you saying that the end justifies the means?

Mr PRINCE: That is the philosophy of the member for Armadale.

Ms MacTiernan: It did not matter whether it was legal.

Mr PRINCE: I did not say that; I said the election vindicated it. I also say that as a matter of good constitutional law, it was lawful and proper. It should have been done and it was done. No amount of rewriting history by revisionists will change that because the overwhelming majority of people know that was the case.

Mr McGowan: As a lawyer do you acknowledge that a Supreme Court judge should be able to give advice to the Governor of the State?

Mr PRINCE: Yes.

Mr McGowan: That would directly flout the principle laid down in the 1915 constitutional case in that point.

Mr PRINCE: I disagree. The member's interpretation and opinion of that case is not correct. I do not see why the

Chief Justice of the court cannot give advice to the Governor General when nobody else is around to give advice. That is not the point of this legislation.

Mr McGowan: You raised it.

Mr PRINCE: The member for Rockingham raised it in his debate.

Ms MacTiernan: He was talking about the age of judges.

Mr PRINCE: I was there in practice at the time and I watched the events very closely.

Regarding hypocrisy, I do not think a referendum dealing with the age of retirement of High Court judges can be indicative of their age of retirement per se. That is a debatable proposition, but I understand the member is not pushing the issue too hard. Nonetheless, the referendum to which he referred was held 20 years ago. Although retirement age has come down to 55, there are some strong arguments in favour of retirement age increasing again. It concerns the work force and experience.

The member for Burrup said the preferred age should be 45 or 50 years of age. With the exception of the extreme person, who has perhaps been in the High Court for 50 years, someone who has been in a court for say 25 years has experience that could not be taught to anyone else or passed on through training. In many respects it is a great loss to society and the judicial system when an otherwise extremely intellectual fit person is forced to retire simply as a result of chronological circumstances. I have known a few who should have retired earlier and some whom I would be happy to see remain as judges. I am not suggesting that every judge who retired would be available. Clearly it would be only those who were competent and capable of doing the job. We would then be using an accumulation of hard-won wisdom which otherwise would be lost.

Ms MacTiernan: I do not know whether it applies strongly in criminal cases. Criminal cases do not necessarily bring with them the same intellectual challenge.

Mr PRINCE: Yes; they do.

Ms MacTiernan: I beg to differ. Aside from evidentiary law, criminal law is not as complex.

Mr PRINCE: It is not at first instance, but the ability to deal with all manner of people, accused, witnesses and counsel, who appear in the criminal courts for many reasons, does not come easily to a young person. However, someone who has served for 20 or 25 years has seen it all and has the accumulated wisdom and authority in that sense to be able to run a very good court and deliver justice.

Ms MacTiernan: I must get you some videos of Rumpole of the Bailey to show you how off the pace is that remark.

Mr PRINCE: That program is compulsory legal education for any criminal barrister. I have always watched it avidly.

Ms MacTiernan: It goes to show that some judges retain all the class prejudices they held from the day they entered law school.

Mr PRINCE: That is Britain. Furthermore, Mortimer wrote most of those episodes in the 1950s. We are talking about Western Australia in the late 1990s leading into the next century. When talking about class prejudice members opposite are the people who want to keep it alive. It does not exist in the community.

The other matter raised by the member for Kalgoorlie concerned appointment for a maximum of 12 months. The reason for seeking 12 months as a maximum is for the occasional very long case which, as I mentioned, has a huge effect on the totality of the running of the court. One might want to use a person like this when the court is short of officers because some people are on leave to deal with the one case that is known will last for a long time. To have an individual deal with just that case and go away gives flexibility to the administration of the courts for the listing process.

The member for Kalgoorlie made some good points regarding the commissioner process being used in the past as a short term apprenticeship for potential judges or to try them out. That is a good thing and there is no intention that commissioners will not continue to be used. They have advantages even though retired judges come back for a short period.

As the member for Armadale so eloquently summed up, there is a problem in taking people out of the profession who are actively engaged in it and who might have some form of conflict, even if it is only in their minds, dealing with a case probably mostly in the civil rather than the criminal area. That represents difficulties especially when commissioners are being drawn from practising firms of solicitors, which is something I would like to see encouraged and which has not been done recently.

When people are taken from the bar alone less of a problem arises. Considerable difficulty also arises in being able to obtain people from the bar to run as commissioners for any length of time. It will inevitably mean that their practice will stop. A commissioner brought in for three months must almost wind down his practice for a month or two before he works the three months. After the three months he must wind up his practice again. The resultant effect on his practice and obviously upon his finances is such that few people are prepared to do it other than as a form of public service. Commissioners are still to be used but the ability to use them has become less common than it was in the past, which I find regrettable. I agree with the comments of the member for Kalgoorlie about commissioners. This is not meant to be a replacement for them. I also take to heart the point the member for Kalgoorlie made about gender equity. Very few women are judges, none of whom would be close to retirement age at present. One might come close to retirement age in the next five or seven years. It will be obviously entirely up to her. To a certain extent that presents a difficulty, but the profession does not have many women in the middle ranks in about the mid-forties. However, a significant cohort is coming through who are younger. In time the gender equity problem will be solvable, but not now.

Regarding the iconoclastic comments of the member for Burrup, if he does not like the legislation he should have been in the Caucus room and had a say. I am pleased to say that the Opposition is supporting this matter. The member for Burrup repeated his mantra that we should have more judges. The problem with that is the total cost; judges do not come just with their own salary. A series of administrative matters must be put in place which cost money.

This legislation offers a sensible use of resources available within society for a reasonable payment of public moneys to deal with the work that appears before the courts, whether they be civil or criminal. It should be seen in that light. There is no way this could ever be seen to be a form of replacement for full time serving judges. If it were contemplated in that form, it would rapidly run out because there would be no retired judges to do the job.

The member for Armadale mentioned long serving judges. Long serving judges are not necessarily bad or necessarily good: It varies enormously according to the individual. One of the greatest long serving judges in the English speaking world would be former Master of the Rolls Lord Denning who served for what must be 50 years. I think he went to the court in his thirties and he was still sitting well into his late seventies, if not his early eighties. That is an example that came to mind while the member was speaking; there may be one or two others.

Mr McGowan: Is he still alive?

Mr PRINCE: Yes, as far as I am aware. I think he is in his late nineties now.

Mr McGowan: Perhaps we should bring him over here and put him on the bench.

Mr PRINCE: I do not think that is a fair comment to make about an elderly gentleman who has done a lot of public service in his life.

Ms MacTiernan: And a very innovative and progressive man he was.

Mr PRINCE: Yes, he was. I have always had the highest regard for Justice MacTiernan. I thought he was one of the better tax judges in his day. He sat, usually as a single judge, hearing many tax cases. He was a very good black letter law judge for a long time. The member for Armadale does his memory a great disservice by comparing him to Justice Murphy who I must say, out of deference to the dead, was probably one of the most unfortunate appointments to the High Court.

Question put and passed.

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

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Twenty-first Report - Control of Election Signs

MR WIESE (Wagin) [9.03 pm]: I present for tabling the report of the Joint Standing Committee on Delegated Legislation on the control of election signs and I move -

That the report do lie upon the Table and be printed.

I thank members for the opportunity to table this report and a second report that I will table in a moment. The Delegated Legislation Committee recently reviewed the City of Rockingham by-laws relating to signs, hoardings and bill postings. These by-laws amended the existing by-laws to prohibit election signs within the district. In view of recent High Court decisions that have recognised an implied constitutional guarantee of freedom of communication, the committee had concerns that the by-law may infringe that guarantee and be beyond the power of the local

government. One of the principal terms of reference of the committee is to report on any regulation that appears not to be within power. Accordingly, the committee resolved to investigate the matter further.

When the committee examined the legal issue of whether the City of Rockingham by-law infringed the constitutional guarantee, it concluded that the guarantee was not absolute and that it must be weighed against competing public interests. However, in this balancing process, where the restriction imposed on the freedom of communication is by reference to the character of the idea or information and it is in respect of the conduct of elections for political office, the paramount weight is given to the public interest in freedom of communication. Accordingly, the committee concluded there needed to be compelling reasons for this by-law, which appears to restrict the freedom of communication in elections.

Having reached this conclusion, the committee turned to examine whether there were any competing matters of public interest. The City of Rockingham advised the committee there were a number of reasons for placing a prohibition on election signs. The principal reason proffered by the city was that there was a proliferation of signs in the district. A consensus was reached among the committee that where there is a proliferation of signs, some control is required in the public interest and that this may be sufficiently compelling to outweigh the public interest in freedom of communication. However, members of the committee expressed divergent views as to whether absolute prohibition was the appropriate method of control in order to achieve that public interest.

Consequently, the committee turned to examine what methods of control were available and whether they would be sufficient to achieve the recognised public interest in preventing the proliferation of signs. The Acting Electoral Commissioner, Lyn Auld, appeared before the committee and the committee discussed with her the need, if any, to control election signs in the State, what methods of control could be used and the advantages and disadvantages of each method. In particular, the committee examined the use of an absolute ban, a partial ban, and a system of licensing or registration.

The Acting Electoral Commissioner indicated there were potential problems with each of the three proposals for controlling and regulating election signs. Enforcement and administrative cost issues must be addressed. Those issues would require a great deal more investigation before any of the proposals could be advanced further. The committee did not investigate the proposals any further and does not intend to undertake this task. However, the committee viewed the investigation of appropriate control measures for election signs as a worthwhile task in light of the fact that local governments are taking up the issue, at least on a community level. Some effort to determine whether it is a matter that should be dealt with uniformly across the State and how it should be dealt with would, in the committee's opinion, be appropriate. Such an inquiry would look at not only what controls could be used, but the initial question of whether any controls are necessary.

As no consensus could be reached on whether an absolute ban on election signs was an appropriate method of controlling election signs in the public interest to prevent the proliferation of signs, no concluded opinion on whether the City of Rockingham by-law infringed the constitutional guarantee of freedom of communication was reached, other than that the by-law may transgress rights, liberties and freedoms and may be beyond power. However, the committee is of the view that the control of election signs is a matter that requires further investigation on a government level.

Accordingly, this report is a summary of the committee's deliberations, but concludes with the following recommendation: The committee draws the attention of the Parliament to its view that the local law passed by the City of Rockingham may transgress rights, liberties and freedoms, and may be beyond power, and recommends that in any review of the State's electoral legislation the question of whether the proliferation of election signs is a problem in the State, and, if so, what controls are appropriate to regulate election signs, should be considered.

In view of the great confusion and difficulties that will undoubtedly arise at election times, whether those elections are federal, state or even local government, if, as may occur, some councils adopt similar local laws while others do not, I urge all members to study closely the committee's report. The committee has made the Minister for Parliamentary and Electoral Affairs aware of the issue and of the committee's concerns.

I am pleased to inform the House that he has responded by indicating that "it would be a matter of general concern if the actions of local governments infringed upon the ability of candidates to place signs on commercial premises used for election purposes or in the declaration of the surroundings to polling booths". He also indicated that "apart from considerations of freedom of communication, this could be an interference in the electoral process that essentially must be guarded by the Electoral Act 1907". The Minister has also indicated that it will be necessary for a number of amendments to be made to the Electoral Act and that the Government may have to consider legislative amendments to clarify the issues raised in the report.

In light of those comments I recommend that all members acquaint themselves with the report of the delegated

legislation committee that I have tabled because it raises issues which will be of importance to all members and to all political parties when these issues arise at election times. I commend the report to the House.

Question put and passed.

[See paper No 589A.]

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Twenty-second Report - Disallowance Procedures

MR WIESE (Wagin) [9.11 pm]: I present the report on disallowance procedures of the committee. I move -

That the report do lie upon the Table and be printed.

I put before the Parliament a brief explanation of the contents of the report. The Interpretation Act provides for Parliament to disallow or amend regulations promulgated by the Executive. From time to time members strike procedural and legal questions in relation to the application of the relevant provisions. The committee has identified a number of issues and questions that have arisen and has resolved to report to the Parliament with its opinions and proposed solutions to those questions. As such, this report is intended as an outline of disallowance procedures in the Western Australian Parliament and is meant to be of assistance to members when a disallowance motion is tabled, and to the public in understanding the mechanisms by which Parliament seeks to exercise and retain control over the making of subordinate legislation.

The report initially outlines the provisions of the Interpretation Act that relate to disallowance and the standing orders of the Legislative Council and the Legislative Assembly that provide the parliamentary procedures in respect of disallowance. Incidentally the report identifies the differences between the procedures in each House. The report then looks at a number of questions that arise as a consequence of these provisions.

First the report asks what can be disallowed. The Interpretation Act grants Parliament the power to disallow only regulations which, by reason of section 42(8), includes rules, by-laws and local laws. The committee is of the view that this is an unduly restrictive definition and allows much subordinate legislation to bypass parliamentary scrutiny simply by the manner in which it is nominally described. Thus Parliament may be able to disallow a resolution or a notice, even though these instruments have legislative effect. Therefore, the committee repeats the recommendation contained in its sixteenth report for a new definition of subordinate legislation in order that the principal means of parliamentary control is not subverted by the nominal description given to a piece of subordinate legislation.

If the recommended subordinate legislation Bill is not proceeded with - the committee certainly recommends that it should be proceeded with - the committee is of the view that section 42 of the Interpretation Act should be amended to allow for disallowance of subordinate legislation and that the definition of subsidiary legislation that is contained in section 5 of the Interpretation Act be deleted and replaced with the following definition of subordinate legislation: Subordinate legislation means any rule having legislative effect - howsoever it may be described - authorised or required to be made by or under an Act.

Secondly, the report asks when subordinate legislation can be disallowed. This question arises in the context of subordinate legislation that is gazetted before the enabling Act is in force and effect. Frequently subordinate legislation will be drafted at the same time as the enabling Act in order for the entire body of legislation to become operative at the same time. This may lead to the gazetting of the subordinate legislation before the enabling Act is proclaimed.

On this question the committee concluded that under the provisions of the Interpretation Act, once passed by Parliament, an Act may allow for the making of an instrument of legislative or administrative effect before the enabling Act is proclaimed. The instrument may be gazetted and tabled following which Parliament may disallow or amend, notwithstanding that the enabling Act has not yet commenced.

Thirdly, the report looks at the question of the publication of subordinate legislation. With a proliferation of instruments, both legislative and administrative, a very real problem arises as to what, in fact, is the law. Often it is necessary to consult voluminous documentation to ascertain what is the law and how it is affected by a particular instrument under consideration. With the proliferation of subordinate legislation, a measure is required to enable the public and parliamentarians alike to access and ascertain precisely what the law on a particular subject is in order that the rule of law can be maintained. In addition, without any measures in place to assist in this task the application of the disallowance procedures may be frustrated by an inability to determine quickly and accurately the law on a particular subject as it stands or as it is affected by a piece of subordinate legislation under review.

To address these problems, the measure supported by the committee is publication of subordinate legislation on the

Internet. The committee recommendation in the context of publication of legislation, including subordinate legislation, is that the committee notes and supports the recommendations of the Standing Committee on Constitutional Affairs and Statutes Revision in relation to continual consolidation of legislation and posting of legislation on the Internet.

Finally the committee examined whether the entire set of regulations must be disallowed or whether it is possible to disallow selectively particular regulations. The legal conclusion supported by the committee in this regard is that selective disallowance is possible under the provisions of the Interpretation Act; however, the committee has noted that practical problems may arise with the creation of unworkable and nonsensical subordinate legislation as a result of a disallowance of regulations or part of regulations upon which other regulations are dependent. The committee comments in this regard that sensible application of the power to disallow selectively is called for. Whenever the committee or an individual member of Parliament moves for disallowance, due consideration should be given to the practical operations of the remaining regulations in addition to the alleged evil which is being addressed by the motion for disallowance. The report should not be regarded as authoritative on the question of disallowance procedures; it is simply presented to the Parliament by the committee as a useful tool in understanding some of the issues and problems that may arise in respect of disallowance of subordinate legislation and the mechanisms by which Parliament seeks to exercise and retain control over the making of legislation which is delegated to the Executive.

I commend this report to the Parliament and recommend that members, who may not perhaps have an understanding of the full impact of subordinate legislation as it is broadly defined, take the opportunity to acquaint themselves with it. I believe it will make them much more effective members of Parliament if they do so.

The report will give members a far better understanding and appreciation of how much delegated or subordinate legislation is in place and what an enormous effect it can have on the operation and delineation of the law as it is applied by this Parliament. I commend the report to the House.

Question put and passed.

[See paper No 589B.]

House adjourned at 9.21 pm

QUESTIONS ON NOTICE

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

PARLIAMENTARY SECRETARIES - RESOURCES

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

- (1) Has the Parliamentary Secretary been provided with stationery or other items to enable him to carry out the work of a Parliamentary Secretary?
- (2) Exactly what has been provided to the Parliamentary Secretary?
- (3) What is the cost of each item that has been provided?
- (4) In the 1995-96 financial year what items were made available to the Parliamentary Secretary to enable them to carry out their responsibilities?
- (5) What was the cost of each item?
- (6) What was the total cost of support for the Parliamentary Secretary?
- (7) Between 1 July 1995 and 14 December 1996 what items were provided to the Parliamentary Secretary?
- (8) What was the cost of each item?
- (9) What travel did the Parliamentary Secretary undertake between 1 July 1995 and 14 December 1996?
- (10) What was the destination and cost of the travel?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response -

- (1) The Parliamentary Secretary until the state elections in December 1996 was Mrs Rhonda Parker MLA. She was succeeded by Mr Arthur Marshall MLA thereafter. Both have been assisted by my office to carry out their duties.
- (2) All Parliamentary Secretaries receive a special financial allocation of \$1 100 to defray a part of the costs they have to meet in discharging their duties. In the case of Mrs Parker her mobile phone account was paid for by my office. In the case of Mr Marshall, payment of a mobile phone account, business cards and paper, one desk, one chair, two cupboards and a car parking bay at my ministerial office have been provided.
- (3)

Furniture	\$841.50
Business cards	\$124.00
Paper	\$320.00
Existing mobile phone upgrade	\$972.00
Mobile phone account	Variable cost
Car parking bay	\$290.00 per month
- (4) Mrs Parker's existing mobile phone account was paid.
- (5) Same as (3).
- (6) Question not clear; for example, for which period and which Parliamentary Secretary.
- (7) Nil.
- (8) Not applicable.
- (9) Nil.
- (10) Not applicable.

POLICE - SERVICE

Civilianisation

564. Mrs ROBERTS to the Minister for Police:

- (1) Has the civilianisation of the Police Service been completed?
- (2) If so, when was it completed?
- (3) If not, when will it be completed?

Mr DAY replied:

- (1) The civilianisation of 300 sworn police positions has been completed.
- (2) March 1997.
- (3) Not applicable.

PORT KENNEDY SCIENTIFIC PARK - MONITORING REPORT

700. Dr EDWARDS to the Minister for Water Resources:

- (1) Has the annual monitoring report for the Port Kennedy development area for 1996-97 been received?
- (2) If no, why not?
- (3) Has Port Kennedy Resorts Pty Ltd stayed within its approved maximum draw of 320,000 kilolitres per annum?
- (4) If no, why not?
- (5) What fees does Port Kennedy Resorts Pty Ltd pay to the Water and Rivers Commission for the use of this public water resource?
- (6) Has Port Kennedy Resorts Pty Ltd met all of its licence conditions for the Port Kennedy borefield?
- (7) Does the monitoring show any adverse effects on the wetlands or vegetation at Port Kennedy as a result of this ground water extraction?
- (8) Have the proponents' computer simulations been compared with the monitoring results?
- (9) If not, why not?
- (10) If yes, what was the outcome?

Dr HAMES replied:

- (1) No.
- (2) The report was due on 30 April 1997. However, a two month grace period is normally given to licensees such as Port Kennedy to draft the report and allow them to incorporate in the report all data up to and including the due date. The report from Port Kennedy will be submitted by 30 June 1997.
- (3) The commission - through agreement with the DEP - has granted an additional allocation of approximately 104 700 kL taking the total allocation for the current year to 424 700 kL pa. It is the commission's understanding that this allocation has not been exceeded this year.
- (4) Answered by (3).
- (5) None.
- (6) Yes.
- (7)-(8) No.
- (9) The monitoring results will only be compared after one year of pumping which ends in June.
- (10) Answered by (8).

TELECOMMUNICATIONS - TELSTRA AND OPTUS

Fibre Optic Cabling

807. Mr RIPPER to the Premier:

- (1) How far behind the other States are the fibre optic "cable roll outs" of Telstra and Optus in Western Australia?
- (2) By what date will metropolitan Perth be cabled by -
 - (a) Telstra;
 - (b) Optus?
- (3) By what dates will major regional centres be cabled by -
 - (a) Telstra;
 - (b) Optus?
- (4) When will rural and remote Western Australia be cabled by either company?
- (5) Is the State Government concerned about the pace of the cable roll out in Western Australia?
- (6) Has the State Government made representations to the Federal Government or the telecommunications companies about this matter?

Mr COURT replied:

- (1) Western Australia is a long way behind the other States in roll out of both fibre optic and coaxial cable used for Pay-TV. Thus we have avoided the ugly overhead cable problem faced by the Eastern States. The Commonwealth has agreed to our request to repeal the telecommunications carriers' exemption from State planning and environmental law. From 1 July 1997 the carriers have to comply with State law and, with only limited exceptions, will be obliged to place their cables underground, consistent with our policy for undergrounding power cables. The reason in both cases is to ensure continuity of essential services as well as maintaining the visual amenity of the environment. Telstra has advised that it has laid cable past more than 20% of the houses in Perth. To Telstra's credit all of this is underground. Neither Telstra nor Optus has announced plans for wideband cabling passing houses in regional areas. However at least two new companies entering the telecommunications carrier business are investigating the feasibility of providing wideband cable services in some of the larger regional centres. Fibre optic cable has more important uses than Pay-TV and Telstra has such cable linking us with the Eastern States and linking most of its telephone exchanges throughout the State. Optus also has optic fibre cable linking us with the Eastern States and has fibre optic cable around the Perth central business district. This gives businesses and government agencies the choice to directly connect to Optus, bypassing Telstra, and gaining the full benefits of competition.
- (2)-(4) Cable roll out timetable information is confidential to the companies concerned in this highly competitive field.
- (5) Cable is not essential for delivery of Pay-TV. Galaxy is already providing such service throughout Perth and many regional towns using satellite technology. Far more important is upgrading of telecommunications infrastructure in regional and remote areas to support the full range of on-line services. Fibre optic cable to every household is not essential to achieve this, but is a desirable long term goal.
- (6) Yes, including all potential telecommunications providers, not just Telstra and Optus. All carriers are encouraged to lay cable underground whenever any organisation digs trenches. For example AlintaGas recently announced Northgate Communications as its potential partner for providing wideband cable in AlintaGas trenches throughout Kalgoorlie.

COMMITTEES AND BOARDS - MEMBERSHIP

Statistics

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

- (1) What boards, committees or the like in each portfolio under the Minister's control provide a sitting fee, or other payment, to board or committee members?
- (2) What is the name of each board and/or committee?

- (3) What are the names of the members of each board and/or committee?
- (4) How much is each member of the board and/or committee paid for their services?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response -

MINISTRY OF SPORT AND RECREATION COUNCIL

- (1)-(4) The following boards and committees provide a sitting fee to board members as indicated in the table below -

Community Sporting and Recreation Facilities Fund Committee

Ms Yvonne Rate (Chair)	\$280 per day
Mr Joe North	\$186 per day
Mrs Wendy Pritchard	\$186 per day
Ms Mary-Anne Paton	\$186 per day
Mr Ken Hamilton	nil*
Mr Hallam Pereira	nil*
Mr Ron Alexander	nil*

Western Australian Boxing Commission

Hon William Grayden (Chair)	Chairman's fee \$4,500 pa Office expenses allowance \$600 pa
Mr Bill Fanderlinden	\$131 per day \$86 per half day
Dr (Edgar) Richard Reid	\$131 per day \$86 per half day
Mr Mervyn Abrahams	nil*
Sgt Bob Terms	nil*
Mr John Fuhrmann	nil*
* denotes government employee	

WA Sports Centre Trust Board

Mr Ian Laurance	\$17,700 pa
Mr Tom Hoad	\$ 3,700 pa
Mr Terry McIntyre	\$ 3,700 pa
Dr Julie Quinlivan	nil
Dr Rodney Rate	nil
Dr Tom Stannage	nil
Ms Sue Taylor	\$ 3,700 pa
Mr Shane Wagner	\$ 3,700 pa
Mrs Kath White	nil

Western Australian Institute of Sport

WAIS Board	Neil McKerracher (Chairman)	\$6,000
Jenny Edmonds (Deputy Chairperson)		nil
Wally Foreman (Director of WAIS)		nil
Richard Aggiss		nil
Jack Busch		nil
Bruce Elliott		nil
John Fuhrmann		nil
John Inverarity		nil
Jamie Lutz		nil
Elsma Merillo		nil
Michelle Telfer		nil

An annual stipend fee of \$6,000 to the Chairman of the WA Institute of Sport (WAIS) is paid. This is the only paid position on the Board, excluding the Director of the Institute.

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Expenditure

843. Mr BROWN to the Minister for the Environment; Employment and Training:
- (1) How much did each department and agency under the Minister's control spend on -
- (a) television advertising;

- (b) radio advertising; and
- (c) newspaper advertising,

between 1 July 1996 and 30 March 1997?

- (2) How much does each department and agency under the Minister's control plan to spend on -

- (a) television advertising;
- (b) radio advertising; and
- (c) newspaper advertising,

between 1 April 1997 and 30 June 1997?

Mrs EDWARDES replied:

Perth Zoo

- (1)
 - (a) \$41 113
 - (b) \$37 675
 - (c) \$65 030
- (2)
 - (a) \$8 200
 - (b) \$4 050
 - (c) \$3 198

Kings Park and Botanic Garden

- (1)-(2) Nil.

Department of Environmental Protection

- (1)
 - (a)-(b) Nil.
 - (c) \$106 185
- (2)
 - (a)-(b) Nil.
 - (c) Approximately \$17 000

Conservation and Land Management

- (1)
 - (a) Nil.
 - (b) \$1 820
 - (c) \$312 880
- (2)
 - (a)-(b) Nil.
 - (c) \$37 845

Western Australian Department of Training

- (1) Department of Training

- (a) \$200 548
- (b) \$20 438
- (c) \$299 087

AMTC

- (a) \$2 500
- (b) Nil.
- (c) \$28 629

Central Metropolitan College

- (a) \$19 956
- (b) \$14 706
- (c) \$104 999

North Metropolitan College

- (a)-(b) Nil.
- (c) \$44 195

South Metropolitan College

- (a) Nil.

- (b) \$19 920
- (c) \$173 443

South East Metropolitan College

- (a)-(b) Nil.
- (c) \$60 000

Midland Regional College

- (a)-(b) Nil.
- (c) \$81 588

C Y O'Connor Regional College

- (a) Nil.
- (b) \$4 260
- (c) \$42 174

South West Regional College

- (a) \$10 200
- (b) \$1 866
- (c) \$73 039

Kimberley College

- (a)-(b) Nil.
- (c) \$12 189

Geraldton Regional College

- (a) \$4 000
- (b) \$600
- (c) \$63 166

Great Southern Regional College

- (a) \$860
- (b) \$1 565
- (c) \$51 927

Karratha College

- (a) \$10 076
- (b) \$2 708
- (c) \$36 951

Hedland College

- (a) \$1 280
- (b) \$204
- (c) \$106 825

Pundulmurra College

- (a) Nil.
- (b) \$2 000
- (c) Nil.

(2) Department of Training

- (a) \$6 259
- (b) Nil.
- (c) \$113 001

AMTC

- (a)-(b) Nil.
- (c) \$19 139

Central Metropolitan College

- (a) \$34 532
- (b) Nil.

(c) \$57 458

North Metropolitan College

(a)-(b) Nil.

(c) \$16 250

South Metropolitan College

(a)-(b) Nil.

(c) \$35 225

South East Metropolitan College

(a)-(b) Nil.

(c) \$22 500

Midland Regional College

(a)-(b) Nil.

(c) \$11 352

C Y O'Connor Regional College

(a) Nil.

(b) \$1 420

(c) \$14 058

South West Regional College

(a) \$7 000

(b) \$1 500

(c) \$8 000

Kimberley College

(a)-(b) Nil.

(c) \$4 611

Geraldton Regional College

(a) \$2 000

(b) \$500

(c) \$5 000

Great Southern Regional College

(a)-(b) Nil.

(c) \$6 074

Karratha College

(a) \$1 917

(b) \$903

(c) \$13 900

Hedland College

(a)-(c) Nil.

Pundulmurra College

(a) Nil.

(b) \$2 000

(c) Nil.

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Expenditure

849. Mr BROWN to the Minister for Health:

(1) How much did each department and agency under the Minister's control spend on -

(a) television advertising;

- (b) radio advertising; and
- (c) newspaper advertising,

between 1 July 1996 and 30 March 1997?

- (2) How much does each department and agency under the Minister's control plan to spend on -

- (a) television advertising;
- (b) radio advertising; and
- (c) newspaper advertising,

between 1 April 1997 and 30 June 1997?

Mr PRINCE replied:

Health Department of Western Australia

- (1)
 - (a) \$530,537
 - (b) \$83,742
 - (c) \$1,542,707
- (2)
 - (a) \$350,006
 - (b) \$10,000
 - (c) \$555,628

Alcohol and Drug Authority

- (1)
 - (a)-(b) Nil.
 - (c) \$16,817.
- (2)
 - (a)-(b) Nil.
 - (c) \$7,783

Office of Health Review

- (1)
 - (a)-(b) Nil.
 - (c) \$790.
- (2)
 - (a)-(b) Nil.
 - (c) \$8,982 for staff vacancy advertising.

Healthway

- (1)
 - (a)-(b) Nil.
 - (c) \$32,600.
- (2)
 - (a)-(b) Nil.
 - (c) \$8,000.

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Expenditure

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

- (1) How much did each department and agency under the Minister's control spend on -

- (a) television advertising;
- (b) radio advertising; and
- (c) newspaper advertising,

between 1 July 1996 and 30 March 1997?

- (2) How much does each department and agency under the Minister's control plan to spend on -

- (a) television advertising;
- (b) radio advertising; and
- (c) newspaper advertising,

between 1 April 1997 and 30 June 1997?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response -

- (1) The WATC media placement cost from 1 July 1996 to 30 March 1997 was:

- (a) \$ 664 889
- (b) \$ 18 007
- (c) \$ 221 647

Rottneest Island Authority

- (a)-(b) Nil
- (c) \$8,976 (from 1 July 1996 to 30 March 1997)

- (2) The WATC media placement cost estimated for 1 April, 1997 to 30 June 1997:

- (a) \$ 374 900
- (b) \$ 23 390
- (c) \$ 65 805

Rottneest Island Authority

- (a)-(b) Nil
- (c) \$5,000 (approx.) (between 1 April 1997 and 30 June 1997)

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Expenditure

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

- (1) How much did each department and agency under the Minister's control spend on -

- (a) television advertising;
- (b) radio advertising; and
- (c) newspaper advertising,

between 1 July 1996 and 30 March 1997?

- (2) How much does each department and agency under the Minister's control plan to spend on -

- (a) television advertising;
- (b) radio advertising; and
- (c) newspaper advertising,

between 1 April 1997 and 30 June 1997?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

MINISTRY OF SPORT AND RECREATION COUNCIL

- (1) Ministry of Sport and Recreation

- (a) \$8 000
- (b) Nil.
- (c) \$21 900

Recreation Camps and Reserves Board

- (a) Nil.
- (b) \$185
- (c) \$2 000

Western Australian Boxing Commission

- (a)-(b) Nil.
- (c) \$2 400

- (2) Ministry of Sport and Recreation

- (a)-(b) Nil.
- (c) \$5 000

Recreation Camps and Reserves Board

- (a)-(b) Nil.

(c) \$4 000

Western Australian Boxing Commission

(a)-(c) Nil.

WESTERN AUSTRALIAN INSTITUTE OF SPORT

- (1) (a) WAIS advertises on television through a sponsorship arrangement with Channel 7. No WAIS funds are utilised.
 (b) Nil.
 (c) \$10 154
- (2) (a) As per (1)(a) above.
 (b) Nil.
 (c) \$3 000

WESTERN AUSTRALIAN SPORTS CENTRE TRUST

- (1) (a) \$90 000 (A one off advertising campaign related to the Challenge Bank Sponsorship).
 (b) Nil.
 (c) \$20 000.
- (2) (a)-(b) Nil.
 (c) \$10 000

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Expenditure

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

- (1) How much did each department and agency under the Minister's control spend on advertising in the 1995-96 financial year?
- (2) How much did each department and agency under the Minister's control spend on -
- (a) television advertising;
 (b) radio advertising; and
 (c) newspaper advertising,
- in the 1995-96 financial year?

Mrs EDWARDES replied:

Perth Zoo:

- (1) \$166 670
- (2) (a) \$14 981
 (b) \$62 040
 (c) \$89 649

Kings Park and Botanic Garden

- (1) \$5 000
- (2) (a)-(b) Nil.
 (c) \$5 000

Department of Environmental Protection

- (1) \$99 784
- (2) (a) Nil.
 (b) \$3 000
 (c) \$96 784

Conservation and Land Management

- (1) \$275 904
- (2) (a)-(b) Nil.

(c) \$275 904

Western Australian Department of Training

(1)	Department of Training	\$693,401
	TAFE International	\$10,000
	AMTC	\$ 32,665
	Central Metropolitan College	\$221,529
	North Metropolitan College	\$202,000
	South Metropolitan College	\$ 93,201
	S-East Metropolitan College	\$ 95,712
	Midland Regional College	\$ 42,887
	C Y O'Connor Regional College	\$ 33,932
	South West Regional College	\$ 92,476
	Kimberley College of TAFE	\$ 20,159
	Geraldton Regional College	\$122,100
	Gt Southern Regional College	\$ 48,428
	Karratha College	\$ 54,258
	Hedland College	\$130,165
	Pundulmurra College	\$ 8,000

(2) Department of Training

(a) \$383,347
 (b) \$ 84,941
 (c) \$225,113

AMTC

(a)-(b) Nil.
 (c) \$32,665

TAFE International

(a)-(b) Nil.
 (c) \$10,000

Central Metropolitan College

(a) \$45,000
 (b) \$36,450
 (c) \$140,079

North Metropolitan College

(a)-(b) Nil.
 (c) \$202,000

South Metropolitan College

(a)-(b) Nil.
 (c) \$93,201

S-East Metropolitan College

(a)-(b) Nil.
 (c) \$95,712

Midland Regional College

(a)-(b) Nil.
 (c) \$42,887

C Y O'Connor Regional College

(a) Nil.
 (b) \$4,981
 (c) \$28,951

S-West Regional College

(a) \$9,676
 (b) \$856
 (c) \$81,944

Kimberley College

- (a)-(b) Nil.
- (c) \$20,159

Geraldton Regional College

- (a) \$4,000
- (b) \$500
- (c) \$117,600

Gt Southern Regional College

- (a) \$3,260
- (b) \$438
- (c) \$44,730

Karratha College

- (a) \$4,970
- (b) \$523
- (c) \$48,765

Hedland College

- (a) \$17,307
- (b) \$12,699
- (c) \$100,159

Pundulmurra College

- (a) \$2,000
- (b) \$4,000
- (c) \$2,000

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Expenditure

870. Mr BROWN to the Minister for Health:

- (1) How much did each department and agency under the Minister's control spend on advertising in the 1995-96 financial year?
- (2) How much did each department and agency under the Minister's control spend on -
 - (a) television advertising;
 - (b) radio advertising; and
 - (c) newspaper advertising,
 in the 1995-96 financial year?

Mr PRINCE replied:

Health Department of Western Australia

- (1) \$4,176,735.
- (2)
 - (a) \$1,788,955
 - (b) \$85,757
 - (c) \$2,302,023

Alcohol and Drug Authority

- (1) \$15,160
- (2)
 - (a)-(b) Nil.
 - (c) \$15,160.

Office of Health Review

- (1) Nil.
- (2) (a)-(c) Nil.

Healthway

- (1) \$118,500.
- (2) (a)-(b) Nil.
(c) \$58,500

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Expenditure

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

- (1) How much did each department and agency under the Minister's control spend on advertising in the 1995-96 financial year?
- (2) How much did each department and agency under the Minister's control spend on -
- (a) television advertising;
(b) radio advertising; and
(c) newspaper advertising,
- in the 1995-96 financial year?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1) The WATC spent \$1,565,000 on advertising for the period. Rottnest Island Authority spent \$47,659.
- (2)
- | | | | | | |
|-----|------------------------|------|-----------|-----|----------|
| (a) | Television advertising | WATC | \$238,000 | RIA | Nil |
| (b) | radio advertising | WATC | \$58,000 | RIA | Nil |
| (c) | newspaper advertising | WATC | \$835,000 | RIA | \$47,659 |

In addition to the above three forms of advertising, WATC spent \$434,000 on other forms of advertising such as Direct Mail, Magazines, Placement Magazines, flags, Posters and wraparounds.

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Expenditure

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

- (1) How much did each department and agency under the Minister's control spend on advertising in the 1995-96 financial year?
- (2) How much did each department and agency under the Minister's control spend on -
- (a) television advertising;
(b) radio advertising; and
(c) newspaper advertising,
- in the 1995-96 financial year?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

- (1) WESTERN AUSTRALIAN SPORT AND RECREATION COUNCIL
- Ministry of Sport and Recreation Council - \$108 000
Recreation Camps and Reserves Board - \$10 500
Western Australian Boxing Commission - nil
- (2) Ministry of Sport and Recreation
- | | |
|-----|----------|
| (a) | \$32 300 |
| (b) | \$100 |
| (c) | \$70 000 |
- Recreation Camps and Reserves Board
- (a)-(b) Nil.
(c) \$4 300

Western Australian Boxing Commission

(a)-(c) Nil.

WA SPORTS CENTRE TRUST

- (1) \$45,000
- (2) WA Sports Centre Trust
 - (a) Nil.
 - (b) \$2,500
 - (c) \$20,000

WESTERN AUSTRALIAN INSTITUTE OF SPORT

- (1) \$3,649.36
- (2) (a) WAIS advertises on television through a sponsorship arrangement with Channel 7. No WAIS funds are utilised.
 - (b) Nil.
 - (c) \$3,649.36

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Allocation

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

- (1) How much has each department and agency under the Minister's control allocated to advertising in the 1997-98 financial year?
- (2) What is the purpose of the advertising?

Mrs EDWARDES replied:

Perth Zoo:

- (1) \$375 000
- (2) To raise awareness of the Zoo, its products and services and to maximise the yield per visitor in line with the Zoo's 10 year business plan.

Kings Park and Botanic Garden

- (1) \$5 000
- (2) Promotion of Park activities including the Wildflower Festival.

Department of Environmental Protection

- (1) The Department of Environmental Protection has allocated \$120 000 for advertising.
- (2) The purpose of the advertising is to publicise referrals to EPA, project assessment, levels of assessment of development proposals and works approvals and licences issued, as required by the Environmental Protection Act.

Conservation and Land Management

- (1) \$330 000 department wide.
- (2) There are many purposes in a range of categories, including tenders, job vacancies, announcements for expressions of interest, notices of draft management plans, availability of seedlings, benefits of sharefarming for farmers, recreation activities, etc.

Western Australian Department of Training

- (1)

Advanced Manufacturing Technologies Centre	\$ 50,000
Central Metropolitan College	\$240,000
South Metropolitan College	\$180,000
South East Metropolitan College	\$100,000
Midland Regional College	\$ 60,000
North Metropolitan College	\$189,500

CY O'Connor Regional College	\$ 25,000
Geraldton Regional College	\$ 35,000
Great Southern Regional College	\$ 80,000
Kimberley Regional College	\$ 20,000
South West Regional College	\$ 56,300
Hedland College	\$111,500
Karratha College	\$ 95,000
Pundulmurra College	\$ 10,000
WA Department of Training	\$605,000

- (2) Advertising by the Department of Training and Autonomous Colleges is undertaken primarily for the purpose of -

- Promoting TAFE
- Recruitment of students, with associated costs such as production of student handbook and prospectuses
- Recruitment of staff
- Course Tenders and call for nominations for Training Awards
- Specific targeted campaigns (eg "Hands on Trainer" campaign for apprenticeships)
- Promoting specific courses or areas of study within colleges

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Allocation

891. Mr BROWN to the Minister for Health:

- (1) How much has each department and agency under the Minister's control allocated to advertising in the 1997-98 financial year?
- (2) What is the purpose of the advertising?

Mr PRINCE replied:

Health Department of Western Australia

- (1) \$3,502,330.
- (2) *
- * Staff recruitment
 - * Public relations.
 - * Request for tenders.
 - * Notifications of Hospital Board AGM meetings.
 - * Promotion of Women's Cancer Screening Service.
 - * Media promotion and scheduling, Television, Radio and Print Advertising for Health Promotion campaigns.
 - * Notifications of changes to services and clinic times.

Alcohol and Drug Authority

- (1) \$15,000.
- (2) For the purposes of advertising job vacancies and ADA training courses in the country regions.

Office of Health Review

- (1) \$3,000.
- (2) \$2,000 for staff vacancy advertising; and \$1,000 for publicity.

Healthway

- (1) \$150,000.
- (2) Media campaign to promote Smoke Free WA message.

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

Allocation

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

- (1) How much has each department and agency under the Minister's control allocated to advertising in the 1997-98 financial year?

- (2) What is the purpose of the advertising?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response -

Western Australian Tourism Commission

- (1) The WATC budget estimate for advertising in 1997-98 is \$3 481 000.
(2) The primary purpose of the advertising is to promote Western Australia as a tourist destination.

Rottneest Island Authority

- (1)-(2) The Rottneest Island Authority 1997-98 budget is being finalised.

GOVERNMENT INSTRUMENTALITIES - POLLING AND MARKET RESEARCH

Statistics

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

- (1) How much has been allocated by each department and agency under the Minister's control for -
(a) public opinion polling;
(b) market research;
(c) customer research; and
(d) stakeholder research,
in the 1997-98 financial year?
(2) What is the precise nature of the polling and/or research that will be undertaken by each department and agency?

Mrs EDWARDES replied:

Kings Park and Botanic Gardens

- (1) (a)-(b) Nil.
(c) \$7 000
(d) Nil.
(2) \$7 000 - Visitor Analysis/Survey.

Perth Zoo

- (1) (a) Nil.
(b-c) \$35 000
(d) Nil.
(2) The Zoo will conduct visitor satisfaction research, customer tracking studies, research the education market and gather information for Key Performance indicators.

Department of Environmental Protection

- (1) None.
(2) Not applicable.

Conservation and Land Management

- (1) (a) \$10 000
(b)-(d) Nil.
(2) Money has been allocated although no polling is definitely planned. The department may wish to satisfy itself that a project or precaution of some importance is properly understood by the relevant audiences. An example may be the level of awareness of CALM's fox baiting project, in particular, its purpose in saving wildlife and the need for dog owners to take care of their pets.

Western Australian Department of Training

- (1) Department of Training
(a) Nil.
(b) \$10,000

- (c) \$105,000
- (d) Nil.

AMTC

- (a)-(d) Nil.

Central Metropolitan College

- (a)-(b) Nil.
- (c) \$15,316
- (d) \$10,400

North Metropolitan College

- (a)-(d) Nil.

South Metropolitan College

- (a)-(d) Nil.

South East Metropolitan College

- (a)-(b) Nil.
- (c) \$12,000
- (d) Nil.

Midland Regional College

- (a)-(d) Nil.

C Y O'Connor Regional College

- (a) Nil
- (b) \$5,000
- (c) \$2,000
- (d) Nil

South West Regional College

- (a)-(d) Nil.

Kimberley College

- (a)-(d) Nil.

Geraldton Regional College

- (a)-(d) Nil.

Great Southern Regional College

- (a) Nil.
- (b) \$2,000
- (c) \$2,000
- (d) Nil.

Karratha College

- (a)-(b) Nil.
- (c) \$10,000
- (d) Nil.

Pundulmurra College

- (a)-(b) Nil.
- (c) \$7,500
- (d) Nil.

Hedland College

- (a) Nil.
- (b) \$42,089
- (c)-(d) Nil.

(2) Department of Training

To survey the satisfaction rate of TAFE students; to determine various market factors relating to the recruitment of international students and winning international project contracts; to conduct satisfaction surveys of international students, agents and clients, and to survey students on completion of their international studies.

AMTC

Not applicable.

Central Metropolitan College

To obtain feedback on college provision, through focus groups, consisting of students, staff and industry constituents.

North Metropolitan College
Not applicable.

South Metropolitan College
Not applicable.

South East Metropolitan College
Research to determine satisfaction of students with the college's services and products, and seek advice on areas for improvement.

Midland Regional College
Not applicable.

C Y O'Connor Regional College
To monitor change in nature of existing training markets, and to identify new markets for college programs in the region

South West Regional College
Not applicable.

Kimberley Regional College
Not applicable.

Geraldton Regional College
Not applicable.

Great Southern Regional College
To survey and analyse customer requirements, and to ensure effective return from marketing and promotion in the region.

Karratha College
To survey customer opinions of college provision in keeping with policy on customer focus.

Pundulmurra College
To conduct a customer satisfaction survey of college provisions.

Hedland College
Survey of students/employers to identify new TAFE programs in the region.

GOVERNMENT INSTRUMENTALITIES - POLLING AND MARKET RESEARCH

Statistics

912. Mr BROWN to the Minister for Health:

- (1) How much has been allocated by each department and agency under the Minister's control for -
 - (a) public opinion polling;
 - (b) market research;
 - (c) customer research; and
 - (d) stakeholder research,in the 1997-98 financial year?
- (2) What is the precise nature of the polling and/or research that will be undertaken by each department and agency?

Mr PRINCE replied:

Health Department of Western Australia

- (1)
 - (a) Nil.
 - (b) \$426,000.
 - (c) \$74,000.
 - (d) \$7,000
- (2)
 - * Community needs survey at various locations.
 - * Customer satisfaction surveys.
 - * Market research to identify strategies to improve nursing recruitment.
 - * Telehealth survey.
 - * Qualitative research on Women's Cancer Screening Service.
 - * Research and evaluation of health promotions campaigns.

Alcohol and Drug Authority

(1) Nil allocations.

(2) Not applicable.

Office of Health Review

(1) Nil.

(2) Not applicable.

Healthway

(1) (a)-(b) Nil.
 (c) \$20,000.
 (d) Nil.

(2) To survey organisations who access Healthway's funding to determine impact of funding on the organisations, satisfaction with ease of access and with Healthway funding processes.

GOVERNMENT INSTRUMENTALITIES - POLLING AND MARKET RESEARCH

Statistics

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

(1) How much has been allocated by each department and agency under the Minister's control for -

- (a) public opinion polling;
- (b) market research;
- (c) customer research; and
- (d) stakeholder research,

in the 1997-98 financial year?

(2) What is the precise nature of the polling and/or research that will be undertaken by each department and agency?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response -

Western Australian Tourism Commission

(1) It is estimated that the WATC will incur the following expenditures in the nominated categories during the 1997-98 financial year.

- (a) Nil.
- (b) \$660 000
- (c)-(d) \$80 000. Funding allocation for customer and stakeholder research are combined.

(2) It is not anticipated that the WATC will be involved in public opinion polling during the 1997-98 financial year. The research activities undertaken will be integral to the WATC's twin objectives of promoting Western Australia as a tourist destination and developing the State's tourism industry. The research will principally focus on visitor information, trends and statistics relating to travel to and within Western Australia and the responsiveness of the industry to meet current and potential demand by tourists visiting Western Australia.

Rottnest Island Authority

(1)-(2) The Rottnest Island Authority 1997-98 budget is being finalised.

GOVERNMENT INSTRUMENTALITIES - POLLING AND MARKET RESEARCH

Statistics

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

(1) How much has been allocated by each department and agency under the Minister's control for -

- (a) public opinion polling;
- (b) market research;

- (c) customer research; and
- (d) stakeholder research,

in the 1997-98 financial year?

- (2) What is the precise nature of the polling and/or research that will be undertaken by each department and agency?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

MINISTRY OF SPORT AND RECREATION

- (1) Ministry of Sport and Recreation

- (a)-(b) Nil.
- (c) \$10,000
- (d) Nil.

Recreation Camps and Reserves Board

- (a)-(d) Nil.

- (2) Ministry of Sport and Recreation

Ref 1 (c) - customer satisfaction survey

Recreation Camps and Reserves Board

Not applicable.

WA SPORTS CENTRE TRUST

- (1) WASCT

- (a)-(b) Nil.
- (c) \$4,000
- (d) Nil.

- (2) A survey of patrons visiting Challenge Stadium and Arena Joondalup to determine the issues most affecting patrons.

WESTERN AUSTRALIAN INSTITUTE OF SPORT

- (1) WAIS

- (a)-(b) Nil.
- (c) \$4,000
- (d) Nil.

- (2) No polling is planned.

TOURISM - ELLE CAMPAIGN

Contracts

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

- (1) What was the total cost of making the Elle advertisements?
- (2) How many separate contracts were entered into in relation to the advertisements?
- (3) Who were the contracts with?
- (4) How much was paid to each contractor?
- (5) What was the contract for?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response -

This information is detailed in the "Synopsis of Brand WA Strategy Advertising Costs" as tabled in Parliament on 7 May 1997.

GOVERNMENT VEHICLES - LEASING

Payments

1005. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) In each department and agency under the Minister's control which leases motor vehicles, does the lease provide for any payments other than the monthly payment?
- (2) What payment does each department and agency have to make for each vehicle other than the monthly payment?
- (3) What is the total cost of those payments for each department and agency?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response -

- (1) Western Australian Tourism Commission: The lease only provides for a monthly payment consisting of a hire fee.
Rottnest Island Authority: The lease only provides for a monthly payment consisting of a hire fee.
- (2) Western Australian Tourism Commission: Payments made for vehicles in addition to the hire fee include monthly management fees, annual insurance premiums, any refurbishment costs required during the hire period and on disposal and fringe benefits tax.
Rottnest Island Authority: Payments made for vehicles in addition to the hire fee include monthly management fees, annual insurance premiums, any refurbishment costs required during the hire period and on disposal fringe benefits tax and sales tax on private plated vehicles used for private purposes.
- (3) Western Australian Tourism Commission: The monthly management fee for the WATC's vehicle fleet is \$11 225. The annual insurance premium for the fleet is \$53 920. Refurbishment costs for 1996-97 total \$9 040. The fringe benefits tax on motor vehicles for 1996-97 was \$68 660.
Rottnest Island Authority: Sales tax and insurance - \$1 300 (approx) in 1996-97.
Fuel - as this is a new arrangement, fuel costs are unknown at this stage.

MINING - GOLD

Royalty - "Revenue Threats and Opportunities" Publication

1061. Ms ANWYL to the Minister for Regional Development:

- (1) Is the Minister aware of a Treasury report "Revenue Threats and Opportunities" or similar?
- (2) If so, when was the report generated?
- (3) If not, will the Minister make enquiries to see whether such a report exists?
- (4) Is the Minister aware of the two resolutions carried unanimously by the public meeting with respect to the gold royalty held?
- (5) What does the Minister propose to do about the resolutions?
- (6) Will the Minister meet with the City of Kalgoorlie-Boulder to discuss the effects of the royalty?
- (7) If so, when?
- (8) If not, why not?

Mr COWAN replied:

- (1)-(3) I am advised by Treasury that work on the document commenced in February 1996 and was completed in December 1996. This work is referred to on page 10-8 of the 1996-97 Budget Paper No 6 and on page 21 of Treasury's 1995-96 Annual Report. The Premier, in response to a question on this matter from the Leader of the Opposition, has advised that the report is an internal working document to Treasury and has not been provided to the Premier or other Ministers but was used by the Treasury in the advice it gave the Government.

- (4) Yes.
- (5) The resolutions have been noted.
- (6)-(8) Yes. I have already met informally with the Council. A gold royalty was not discussed, but I am prepared to meet with Council to discuss a royalty should it wish to do so.

EMPLOYMENT AND TRAINING - ENTERPRISE SPECIFIC TRAINING PROGRAM

Reports

1072. Mr KOBELKE to the Minister for Employment and Training:

- (1) Further to question on notice 133 of 1997 will the Minister table the reports which were submitted to the Department of Employment and Training in order to receive payments or funding under the enterprise specific training program?
- (2) Will the Minister table the evaluation report which was completed by an independent consultant on the 1996 enterprise specific training program?

Mrs EDWARDES replied:

- (1) No. Completed reports contain personal details of students which are confidential, however, a sample of the reports submitted is attached. Payments are made once the completed reports are received by the department.
- (2) Yes - see paper No 496.

PLANNING - GELORUP QUARRIES

Buffer Zones

1080. Mr MASTERS to the Minister for the Environment:

- (1) What is the present status of the proposed buffer zones around the existing and proposed basalt quarries at Gelorup, as recommended by the Department of Minerals and Energy and the Department of Environmental Protection, within which an intensification of urban dwelling is not to be permitted?
- (2) What legislative or other powers does the Minister or her department have to enforce the creation of these buffer zones against the wishes of the affected local authorities?

Mrs EDWARDES replied:

- (1) A buffer zone to prevent conflict between residential development and quarrying operations has been recommended by the Department of Minerals and Energy for the existing and proposed hard rock quarries at Gelorup. In response to this recommendation the Ministry for Planning will be convening a working group to examine the issue and investigate solutions through the planning process.
- (2) Provisions under part IV of the Environmental Protection Act, 1986 could be used to assess changes of zoning in Gelorup with the possibility of Ministerial conditions to provide a buffer zone to minimise land use conflict.

POLICE - LEAK TO THE AUSTRALIAN FINANCIAL REVIEW

Inquiry

1104. Mrs ROBERTS to the Minister for Police:

Has the Western Australia Police Service initiated an inquiry into the source of an apparent leak to the *Australian Financial Review*, dated 25 March 1997, of details of an investigation into Dr Carmen Lawrence and others?

Mr DAY replied:

No. Dr Lawrence has made a complaint concerning the alleged release of information by the Western Australia Police Service to the Parliamentary Commissioner for Administrative Investigations. This matter is currently the subject of an investigation.

POLICE - MEDIA STATEMENTS

Manual or Guidelines

1105. Mrs ROBERTS to the Minister for Police:

- (1) Is there a police media liaison manual or guidelines?
- (2) Will the Minister table the manual or guidelines?

Mr DAY replied:

- (1) Yes.
- (2) Yes. However, the Media Relations Guide is currently being reviewed.

COMMITTEES AND BOARDS - SPORT AND RECREATION

Membership

1133. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) With reference to the Minister's answer to question on notice No. 47 of 1997, who are the current members and chairpersons of the following committees and boards -
 - (a) Western Australian Institute of Sport; and
 - (b) Western Australian Sport and Recreation Council?
- (2) When was each member appointed and for what period of time?
- (3) How much remuneration is each member paid?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

- (1) (a) WESTERN AUSTRALIAN INSTITUTE OF SPORT

Neil McKerracher (Chairman)
 Richard Aggiss
 Jack Busch
 Jenny Edmonds
 Bruce Elliott
 John Fuhrmann
 John Inverarity
 Jamie Lutz
 Elisma Merillo
 Michelle Telfer
 Wally Foreman

- | | Original appointment | Current appointment | Term of appointment |
|---------------------------------|----------------------|---------------------|---------------------|
| (2) Neil McKerracher (Chairman) | 27/6/1994 | 6/10/1996 | 3 years |
| Richard Aggiss | 27/6/1994 | 6/10/1996 | 3 years |
| Jack Busch | Ex-officio | - | Not applicable. |
| Jenny Edmonds | 1/7/1987 | 27/6/1994 | 3 years |
| Bruce Elliott | January 1984 | 12/12/1995 | 1 year |
| John Fuhrmann | 6/10/1996 | 6/10/1996 | 2 years |
| John Inverarity | 20/11/1991 | 12/12/1994 | 3 years |
| Jamie Lutz | 6/10/1996 | 6/10/1996 | 2 years |
| Elsma Merillo | 17/5/1993 | 27/7/1995 | 3 years |
| Michelle Telfer | 6/10/1996 | 6/10/1996 | 2 years |
| Wally Foreman | Ex-officio | - | Not applicable. |
- (3) An annual stipend fee of \$6,000.00 to the Chairman of the WA Institute of Sport (WAIS) is paid. This is the only paid position on the Board, excluding the Director of the Institute.

WESTERN AUSTRALIAN SPORT AND RECREATION COUNCIL

- (1) (b) Ms Yvonne Rate (Chair)
 Mr Ray Turner (Deputy Chair)

Ms Sally Carbon
 Mr David Christison
 Mr John Cochrane
 Mr Brian Cook
 Ms Natalie Fuhrmann
 Mr John Graham
 Mr Adrian Hurley
 Mr Larry Kickett
 Mr Michael Malthouse
 Ms Jill Powell
 Mr John Ryan

(2)-(3)	Date & Term of	Remuneration
		appointment
Ms Yvonne Rate	June 96/ 3 years	nil
Mr Ray Turner	June 96/ 2 years	nil
Ms Sally Carbon	June 96/ 3 years	nil
Mr David Christison	June 96/ 1 year	nil
Mr John Cochrane	June 96/ 3 years	nil
Mr Brian Cook	June 96/ 2 years	nil
Ms Natalie Fuhrmann	June 96/ 3 years	nil
Mr John Graham	June 96/ 3 years	nil
Mr Adrian Hurley	June 96/ 2 years	nil
Mr Larry Kickett	June 96/ 1 year	nil
Mr Michael Malthouse	June 96/ 2 years	nil
Ms Jill Powell	June 96/ 1 year	nil
Mr John Ryan	June 96/ 1 year	nil

Please note: Members are eligible for reimbursement of reasonable out of pocket expenses.

ROTTNEST ISLAND - MOORINGS

Regulations

1140. Mr PENDAL to the Parliamentary Secretary to the Minister for Tourism:

- (1) In regard to the Government's plans to introduce new regulations to control moorings at Rottnest Island, have the regulations in fact been tabled and, if so, when?
- (2) What is the precedent for insisting that licence renewals be accompanied by a statutory declaration?
- (3) What is the rationale for notifying the Rottnest Island Authority when a licensee is to be out of the State for more than 21 days?
- (4) Why has the Government decided to ban dual ownership of moorings when such a shared arrangement would help relieve the pressure on a limited resource?
- (5) Will the Minister undertake to meet the Mooring Licensees Association to discuss the regulations with a view to amending them?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response -

- (1) No. It is planned that the regulations will be gazetted in the first week in July and then tabled.
- (2) Statutory Declarations have been a requirement for licence renewals for the last four years.
- (3) This requirement has been removed and will not form part of the new moorings regulations.
- (4) The current "Authorised User" system allows any mooring licensee to authorise an unlimited number of boat owners to use their mooring. As such dual ownership is not necessary to increase access to moorings. Dual ownership may facilitate perpetual ownership of a mooring through selective choice of new partners. Such a system may therefore limit opportunities for other boat owners on the waiting list to become mooring licensees.
- (5) The Minister and the Rottnest Island Authority have already consulted extensively with the Mooring Licensees Association in preparation of the new moorings policy.

PLANNING - POINT PERON RESERVE

Leases

1145. Mr CARPENTER to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) How many leases are currently being held at Point Peron Reserve?
- (2) How long do these leases have to run?
- (3) Are any of these lease agreements to be terminated?
- (4) If yes, which ones and what are the reasons for the termination?
- (5) Of those leases that are due to expire, how many tenants will be offered new leases?
- (6) Of those tenants, if any, not offered new leases, what is the reason for not offering a new lease?
- (7) What will be the duration of the new leases?
- (8) Are there any development plans for the Point Peron Reserve?
- (9) If yes, what are those plans?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

- (1) 15.
- (2) The leases expire on 30 October 1997.
- (3) No.
- (4) Not applicable.
- (5) All of them.
- (6) Not applicable.
- (7) An announcement is yet to be made but it is expected that the leases will be renewed. The length of the renewal is yet to be confirmed.
- (8)-(9) The Government has received a concept proposal for a marina at Point Peron. The proposal is being considered in the light of the overall future management and planning of the area. There are no other current development plans for the Point Peron Reserve.

GOVERNMENT INSTRUMENTALITIES - COMMERCIAL ACTIVITIES

Investment and Financial Statements

1166. Mr PENDAL to the Parliamentary Secretary to the Minister for Tourism:

- (1) Will the Minister list each Government department or agency under his control which is involved in any commercial or business venture by way of invested capital, or partnerships with the private sector on which the department/agency seeks a return?
- (2) Will the Minister indicate the level of investment in each case?
- (3) Will the Minister indicate whether such departments/agencies table their financial statements in Parliament?
- (4) If they do not, will the Minister arrange for such tabling?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response -

- (1) In addressing this question it is assumed that "invested capital" on which the agency "seeks a return" to the investment of equity capital on which, in the event that there is a profit or surplus on the business or venture, the investors expect to be repaid a share of the profit or surplus ie a net return. In the context of the above interpretation of the member's question, the commission does not invest capital in activities with the objective of obtaining a net monetary return on the invested capital. All Rottnest Island Authority

relationships with the private sector are through arms-length lease contracts and, in the case of the Bike Hire Shop, a management contract.

(2)-(4) Not applicable.

ENVIRONMENT - DEPARTMENT OF ENVIRONMENTAL PROTECTION

Cyanide Complexes - Mobility

1171. Dr EDWARDS to the Minister for the Environment:

- (1) Has the Department of Environmental Protection (DEP) or any other agency on behalf of the DEP conducted tests on the mobility of cyanide complexes on wastes near, or on the Tom Perrott Reserve in Mosman Park?
- (2) When was the testing done?
- (3) What were the results of the testing?
- (4) What implications do those results have for the containment cell at Minim Cove, Mosman Park?
- (5) Was the committee into the extension of the containment cell given this information during its deliberations in 1996?
- (6) If not, why not?
- (7) If that information was not provided to the committee, are the findings of the committee regarding the security of the cell invalid?
- (8) If those results potentially make the findings of the committee invalid, will the committee be constituted to assess the effect on the original containment cell?
- (9) What further column testing has been done on cyanide, mercury, arsenic and attendant complexes in regard to mobility at Minim Cove since January 1996?
- (10) What is the result of that testing?
- (11) What is the actual available acid neutralisation potential of the soils quoted in the Halpern Glick and Maunsell reports of 1996-97?
- (12) What is the cost per ton of transporting contaminated wastes to Mt Walton?
- (13) What are the gate fees per ton for acceptance of waste at Mt Walton?
- (14) What is the estimated cost of emptying the Minim Cove containment cell and removal of the waste to the appropriate available landfill sites for the waste contained should the cell fail?
- (15) What is the purpose of the limestone layer under the clay cap on the containment cell at Minim Cove, Mosman Park?
- (16) Will water in the containment cell preferentially move across or through the compacted layer of pyrites in the containment cell?
- (17) What volume of water has entered the containment cell since August 1995 including rainfall, watering and in wetted soils awaiting its capping to be placed?
- (18) What action is the Minister for the Environment taking against the developer LandCorp for allegedly storing wastes on site without DEP consent and outside its approvals?
- (19) What action will the Minister take against LandCorp for allegedly extending the containment cell before permission was sought from the Minister or the DEP?

Mrs EDWARDES replied:

- (1) No, such tests were carried out by the proponent at the request of the department and in accordance with departmental requirements.
- (2) The testing and analysis were carried out in January 1996, and reported to the department on February 7 1996.
- (3) The testing showed that the relative mobility of cyanide was higher than that of other constituents. This is

likely to be due to the presence of iron and the formation of ferrocyanide complexes, which are water soluble.

- (4) The results demonstrate the importance of keeping the moisture content in the cell below the field capacity of the wastes, to prevent the generation of leachate. This has been one of the primary aims of the cell design since the beginning of the project.
- (5) No.
- (6) The results were provided to the department after the committee had submitted its report to the Environmental Protection Authority.
- (7) No.
- (8) Not applicable.
- (9) To my knowledge no further testing occurred besides that done in January 1996.
- (10) Not applicable.
- (11) The reported acid neutralisation capacity of the various waste types now in the cell are -

Waste type	Average ANC(kg/t)
Pyrite slurry	104
Pyrite cinders	19
Embankment pyrites	0.24
Foundry waste	130
Western plant area waste	359
Eastern plant area waste	200

This means that, based on these figures and estimates of volumes of the different waste types in the cell, there is an overall surplus of acid neutralisation capacity within the wastes of 40,000 tonnes of sulphuric acid, that is, the wastes themselves contain enough alkalinity to neutralise that volume of acid.

- (12) I am advised that the cost varies according to market forces and the exact location from which the waste originates. Based on recent experience the cost for transporting waste from McCabe Street to the IWDF site at Mt Walton - East is in the range of \$70-\$90 per cubic metre.
- (13) I am advised that there is no set gate charge for the IWDF site at Mt Walton - East. All operations are undertaken on a full cost recovery, non-profit basis. The cost will also vary according to market forces, the size of the waste shipment and the nature of the waste. Based on recent experience, the cost of disposal for the waste from McCabe Street is expected to be in the range \$200-\$500 per cubic metre. This cost covers all aspects of the disposal operation including ongoing monitoring and management of the waste but excludes transport costs.
- (14) The cost of transport to and disposal at the IWDF site of all of the material within the cell is estimated to be in the range of \$70-\$150m. Excavation costs, which are difficult to estimate because of the influence of several time-specific factors, are likely to be in the range of \$2.00-\$2.50 per m³ which equates to a range of \$520,000-\$645,000. Total costs are therefore likely to be in the range of \$70.5-\$150.6m.
- (15) The limestone layer under the cap is intended to ensure that any acidity in water that leaches through the clay cap is neutralised.
- (16) It is expected that the volumes of water that are present in the cell would not be sufficient to exceed the field capacity of the cell's contents and therefore no leachate would be formed. The question of the direction of movement of leachate is therefore irrelevant.
- (17) Based on rainfall statistics (annual averages) for Fremantle, it is estimated that 1386mm of rain fell on the cell in the period August 1995 to June 1997 (inclusive). The surface area of the cell is approximately 16 500 square metres; the estimated volume of incident rainfall is therefore 22 870 cubic metres. It is reasonable to assume that the material placed in the cell had an average moisture content of about 12%, given that 12% is an accepted estimation of the minimum required to prevent excessive dusting from this kind of material. Given that the final volume of waste in the cell is estimated to be 258 000 cubic metres, this equates to 30 960 cubic metres of water. Water has not been used for dust suppression on the cell itself, and therefore no water has got into the cell through this avenue. The volume of water in the cell that has entered the cell, assuming no evaporation or runoff, is therefore 53 830 cubic metres.
- (18) The previous Minister for the Environment issued an order under s48 of the Environmental Protection Act.

The matter of the alleged breach of conditions of approval relating to the stockpiling of waste is currently under investigation.

- (19) None. This matter was dealt with by the previous Minister for the Environment.

FORESTS AND FORESTRY - LEVELS ONE AND TWO TRAVEL ROUTES

Unlogged Zones

1196. Dr EDWARDS to the Minister for the Environment:

In the central forest region, which roads have been identified as -

- (a) level one travel routes;
 - (b) level two travel routes?
- (2) Do level one travel routes have 200 metre unlogged zones each side?
- (3) If not, how are visual quality objectives met?
- (4) Do level two travel routes have 100 metre unlogged zones each side?
- (5) If not, how are visual quality objectives met?

Mrs EDWARDES replied:

- (1) (a)-(b) With regard to timber harvesting on State forest and timber reserves within the Department of Conservation and Land Management's Central Forest Region, no roads have been formally identified as level one or level two travel routes. Preliminary classification of travel routes was made in the process of defining visual landscape management zones.
- (2) Not applicable.
- (3) Visual resource management zones with corresponding visual quality objectives, have been defined for the Central Forest Region and form the basis for logging prescriptions. For schedule which describes the logging prescriptions - see paper No .
- (4) Not applicable.
- (5) Refer to (3) above

MIGRANTS - COMMITTEES AND BOARDS

Membership

1200. Ms WARNOCK to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

- (1) Is the Deputy Premier aware of any Government policy encouraging people of migrant or "ethnic" background to serve on Government boards and committees?
- (2) How many boards and committees within the Deputy Premier's portfolio area have members from such backgrounds?

Mr COWAN replied:

- (1) The "WA ONE" Multicultural policy released in 1995 includes a pledge to: "Encourage all Western Australians to contribute to, and participate in, all levels of public life and the decisions which directly affect them".

Department of Commerce and Trade

- (2) All appointments to boards and committees are made on the basis of relevant knowledge and experience in the subject area. There are no boards or committees within my portfolio for which "migrant" or "ethnic" would be prescribed pre-requisite. Therefore, I have not enquired of appointees as to their status in this regard.

Small Business Development Corporation

- (2) Notwithstanding the need to clarify the definition of "migrant" and "ethnic", the SBDC Board has one

member from such a background. The SBDC's Regulation Review Panel also has one member from a migrant or "ethnic" background.

International Centre for Application of Solar Energy (CASE)

- (2) The Manager of the Energy Innovation Section of the Commonwealth Government Department of Primary Industries and Energy, Mr Noshir Bharucha, of the Indian sub-continent has been nominated to be appointed to the board. This appointment shall take effect once Cabinet and the Western Australian Executive Council have ratified his appointment.

Technology Industry Advisory Council (TIAC)

- (2) None.

Gascoyne Development Commission

- (2) None.

Goldfields-Esperance Development Commission

- (2) It is the Goldfields Esperance Development Commission's policy to advertise by way of individual letters to all community and "ethnic" groups in the region encouraging them to apply for community appointments on boards. GEDC has representation from people with migrant backgrounds on our board and representation of migrant and "ethnic" groups on five committees.

Great Southern Development Commission

- (2) None.

Kimberley Development Commission

- (2) The Kimberley Development Commission seeks a diverse membership to its Boards and Committees. People with an ethnic background, particularly Aboriginal people, are encouraged to serve on the Commissions Boards and Committees. The Kimberley Development Commission Board has two members who are Aboriginal.

Mid West Development Commission

- (2) The Mid West Development Commission has two board members of migrant or "ethnic" background.

Peel Development Commission

- (2) None.

Pilbara Development Commission

- (2) The Pilbara Development Commission has two board members and four members on the advisory committee who are of a migrant or "ethnic" background.

South West Development Commission

- (2) The South West Development Commission has one board member who is of migrant or "ethnic" background.

Wheatbelt Development Commission

- (2) The Wheatbelt Development Commission has one member of migrant or "ethnic" background.

MIGRANTS - COMMITTEES AND BOARDS

Membership

1207. Ms WARNOCK to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) Is the Minister aware of any government policy encouraging people of migrant or "ethnic" background to serve on government boards and committees?
- (2) How many boards and committees within the Minister's portfolio area have members from such backgrounds?

Dr HAMES replied:

- (1) The "WA ONE" multicultural policy released in 1995 includes a pledge to "encourage all Western Australians to contribute to, and participate in, all levels of public life and the decisions which directly affect them".
- (2) The Register of Boards and Committees does not include information on ethnic background.

DOMESTIC VIOLENCE - INTERVENTION PROJECTS

Information Sharing

1223. Ms ANWYL to the Minister for Women's Interests:

- (1) In reference to existing domestic violence intervention projects, is it acknowledged that there is a need for greater information sharing between key agencies?
- (2) What are the key agencies?
- (3) Are any protocols or legislative changes planned with respect to greater sharing of information?
- (4) If so, when?
- (5) If not, why not?
- (6) Are agencies constrained by confidentiality provisions and, if so, how?

Mrs PARKER replied:

- (1) Yes.
- (2) Each regional committee determines the appropriate composition of those required to co-ordinate local delivery.
- (3) The Government has endorsed coordination of government and non-government responses to family and domestic violence as a major means of achieving the objectives of victim safety and abuser constraint and accountability. A sub committee comprising members from the Implementation Advisory Committee is currently being convened to examine information sharing between agencies both government and non-government. Recommendations will be provided to the Domestic Violence Prevention Unit.
- (4) The time line is yet to be specified.
- (5) Not applicable.
- (6) Yes. Many agencies have memorandums of understanding or agreements under which they share certain information, usually when a referral for service is made.

FAMILY AND CHILDREN'S SERVICES - CHILD CARE CENTRES

Advice to Voluntary Management Committees

1226. Ms ANWYL to the Minister for Family and Children's Services:

- (1) What advice is the Department for Family and Children's Services providing or planning to provide to voluntary management committees about the industrial implications of under utilisation of centres?
- (2) What is the content of such advice?
- (3) Is such advice provided internally or externally and, if the latter, which organisations?
- (4) If external, was the process subject to tender?
- (5) Are you aware of a recommendation of the Australian Industrial Relations Commission to employers in child care centres to apply the test case standard redundancy entitlement to any employee made redundant?
- (6) Are you aware that the terms were reached by consent by employers, the Chamber of Commerce and Industry and the Miscellaneous Workers' Union?
- (7) Does the advice currently provided to management committees include advice that the terms were reached by consent?

Mrs PARKER replied:

- (1) A management information seminar has been organised to provide information to child care centre management committees for the evening of 27 May 1997. This seminar is in response to the issues created by underutilisation and will include industrial advice.
- (2) The industrial advice given will assist groups to meet their legal commitments to staff.
- (3) Externally by the Chamber of Commerce and Industry of WA.
- (4) The information is being provided free of charge and as such tendering is not appropriate.
- (5)-(6) Yes.
- (7) Not applicable; currently no advice has been provided - see (1).

ENVIRONMENT - ASBESTOS CONTAMINATED SITE

Mundijong

1235. Dr EDWARDS to the Minister for the Environment:

- (1) Is the Minister aware that as at 13 May 1997 adequate dust suppression techniques had not been applied to Lot 12, Bird Street, Mundijong, where residents are still concerned over asbestos contaminated land fill?
- (2) Why has this asbestos contaminated site remained as a source of dust to nearby residences?
- (3) Have dust suppression techniques since been applied to Lot 12, Bird Street?
- (4) If not why not?
- (5) Is the Minister aware that as at 13 May 1997 asbestos contamination had still not been covered with a metre of fill as directed by the Department of Environmental Protection on 21 January 1997?
- (6) What action has the DEP taken since the direction of 21 January 1997 was issued to ensure that contaminated material is contained on site?
- (7) Is the Minister aware of the report by the Asbestos Diseases Advisory Services to the Asbestos Diseases Society of Australia that the asbestos contaminated land fill presents a potential health hazard to neighbours?
- (8) Why has no detailed soil sampling of the land fill been undertaken to properly assess the extent of the asbestos contamination?
- (9) Is the Minister aware of claims that asbestos waste materials are being deliberately concealed within landfill dumped on site to avoid detection by visual inspection?
- (10) What action has been taken to assess these claims?

Mrs EDWARDES replied:

- (1) I am advised that a small amount of asbestos was deposited at the site as contamination in loads of building rubble but this material has been identified, cleaned up and buried in accordance with recommended practice. I am advised that in view of the small quantity of asbestos initially deposited on the site there was no real threat of off-site pollution and now that this material has been disposed of correctly no threat whatsoever exists. Residents in the area were informed of this at a public meeting held on 3 February 1997.
- (2) Any asbestos has now been disposed of in an approved manner.
- (3) Not applicable as the asbestos has been disposed of and the site is no longer accepting waste.
- (4) Not applicable.
- (5) I am advised that an inspection by staff from the Health Department of WA and the Department of Environmental Protection on 10 February 1997 has confirmed that the material containing asbestos has been covered in accordance with recommended practice.
- (6) I am advised that the owner of the site has been directed to identify any asbestos contamination and bury it with at least 1 metre of clean fill or inert materials to prevent dust emissions. Site inspections by staff

from the Health Department of WA and the Department of Environmental Protection on several occasions have confirmed that the site appears to have been managed correctly since February.

- (7) I am not aware of the particular report, but am aware of the Asbestos Diseases Society's general views regarding asbestos. I am also advised that asbestos experts from the Health Department have advised that the level of contamination is not significant and the approach taken to managing the issue is appropriate.
- (8) A visual assessment of the site revealed only minor contamination with asbestos cement sheeting. Expert opinion from the Health Department and Department of Environmental Protection indicated that further monitoring was not warranted. Air sampling undertaken around the site did not detect airborne asbestos contamination which tends to confirm the view that the contamination was minor and did not warrant further monitoring.
- (9) No.
- (10) If any evidence can be provided that this is occurring, the allegation will be investigated.

POLICE - EMBLETON

1247. Mr BROWN to the Minister for Police:

- (1) What action does the Government intend to take to increase the police presence in Embleton?
- (2) Are there any plans to increase the police presence in Embleton?
- (3) What are those plans?
- (4) When will the police presence increase?

Mr DAY replied:

- (1)-(4) The staffing level at the Bayswater Police Station responsible for policing in Embleton was increased by three officers in May 1995. In addition, the superintendent in charge of the Mirrabooka Police District, which encompasses Embleton, has recently implemented an increased level of police patrolling in the district. This initiative will benefit residents in all suburbs in the Mirrabooka District including Embleton. Additionally, a District Support Group comprising 25 officers established late in 1996 can be deployed in the district to deal with particular issues that arise requiring a police presence beyond that able to be provided by the local police station.

FAMILY AND CHILDREN'S SERVICES - SCHOOL HOLIDAYS ACTIVITIES YOUTH PROGRAM

Funding

1249. Mr BROWN to the Minister for Family and Children's Services:

- (1) Did the Minister issue a media statement on 10 April 1997 concerning funding provided by the Department of Family and Children's Services for the school holiday activities youth program?
- (2) Did the media statement refer to \$50 000 being available for the October and Christmas holiday period to help organisations run recreational and community programs for high school students?
- (3) Has \$200 000 been allocated for this program in the -
 - (a) 1996-97 financial year;
 - (b) 1997-98 financial year?
- (4) If not, what amount has been allocated for each of the aforementioned years?

Mrs PARKER replied:

- (1) Yes.
- (2) Yes, \$50,000 is available for each holiday period mentioned.
- (3) (a)-(b) Yes.
- (4) Not applicable.

SPORT AND RECREATION - GOVERNMENT FUNDING

Complimentary Passes

1251. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) When the Government provides funds to assist the staging of a recreational or sporting event, does the Government require, or sometimes require, as a condition of funding being provided, the right to have its guests attend the event on a complimentary basis?
- (2) What procedure does the Government follow when allocating these complimentary passes and/or tickets?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

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

SPORT AND RECREATION - GOVERNMENT FUNDING

Complimentary Passes

1252. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) When the Government provides funds to assist the staging of a recreational or sporting event, does the Government require, or sometimes require, as a condition of funding being provided, the right to have its guests attend the event on a complimentary basis?
- (2) What procedure does the Government follow when allocating these complimentary passes and/or tickets?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1) Yes.
- (2) The strategy for allocating complimentary passes and/or tickets is that a cross-section of guests are invited with reference to the stakeholders of the event. These stakeholders include, depending on the specific event, Government Ministers, WATC Commissioners, senior representatives or relevant Government agencies, corporate sponsors of major events in Western Australia, media representatives and relevant people in Western Australian arts, sport and business worlds. This has been the case under both Labor and Liberal Governments.

EMPLOYMENT AND TRAINING - TRAINING PROGRAMS

Funding

1253. Mr BROWN to the Minister for Employment and Training:

- (1) Further to question on notice 177 of 1997, can the Minister advise if the precise training activities have now been determined?
- (2) If not, when will they be determined?
- (3) If so, how will the money be used?
- (4) What training providers/companies/individuals have been provided with funds?
- (5) For what purpose has each organisation/individual been provided with funds?

Mrs EDWARDES replied:

- (1)-(2) No. Specific details of training activities will be determined by the tenderers (Chamber of Commerce and Industry, Karrayili Adult Education Centre and Geraldton Regional College of TAFE), in consultation with companies and communities. The training providers who will deliver the training will then be selected by the tenderers. The Department of Training will know the details of the precise training activities that have been delivered following receipt of the first progress reports to be received from the tenderers by 31 August 1997.

- (3) The money will be used to provide accredited training to the employees of enterprises, or the members of communities, with some funding to be used for coordination and determining precise training needs, as indicated in (5) below.
- (4) The first instalments (34% of the total funds) have been paid to the successful tenderers. The second and subsequent instalments will be paid to tenderers after receipt of progress reports. The tenderers will pay the training providers as the training is delivered. The precise details of which training providers are paid by the tenderer will not be known until the initial progress reports are received by the Department after 31 August 1997.
- (5) The Chamber of Commerce and Industry has been provided with funds to liaise with companies in the metals and engineering industry to determine training needs and to organise accredited training. Karrayili Adult Education Centre has been provided with funds to liaise with communities, determine training needs and organise accredited training. Geraldton Regional College of TAFE has been provided with funds to determine the training needs and to deliver training to members of the Pia and Tootoo Wandj Aboriginal communities.

BANKS - DEBITS TAX

Increase

1271. Dr GALLOP to the Treasurer:

- (1) What effect will the fifty per cent increase in the rate of debits tax have on available expenditure for people on fixed incomes?
- (2) How will people who have their salaries paid directly into a bank account eg, pensioners and social security recipients be able to avoid this impost?
- (3) What provisions will be made for them to be paid directly if they so choose?
- (4) Under the Government's proposal are savings accounts linked to a cheque account/facility also subject to a debits tax?
- (5) What measures will be introduced to advise the public of this?

Mr COURT replied:

- (1) The impact of the increase in the debits tax rates on people on fixed incomes will depend on the extent to which they use accounts which are linked to cheque facilities. Data is not readily available to estimate this impact.
- (2)-(3) If the bank accounts concerned are not linked to a cheque facility, then debits to the accounts would not be dutiable.
- (4)-(5) Savings accounts linked to a cheque facility have always been subject to debits tax. The Government's proposal affects only the rates of tax, not the type of accounts that are dutiable.

MINISTRY OF PREMIER AND CABINET - EMPLOYEES

Full Time

1276. Dr GALLOP to the Minister for Public Sector Management:

- (1) What was the FTE level of the Department of Premier and Cabinet in 1996-97?
- (2) By how much will the Department of Premier and Cabinet increase its FTEs in 1997-98?
- (3) Is this a trend across the remainder of the public sector?
- (4) Why are the public service needs of the Department of Premier and Cabinet so different to the rest of the public service?

Mr COURT replied:

- (1)-(4) The adjusted approved FTE level for the Ministry of the Premier and Cabinet in 1997/98 remains unchanged from the adjusted approved level for 1996/97 (706). The estimated actual FTEs for the Ministry in 1996/97 is 689, largely reflecting delays in filling of previously approved positions.

MINISTRY OF PREMIER AND CABINET - EMPLOYEES

Senior Levels - Number

1277. Dr GALLOP to the Minister for Public Sector Management:

- (1) How many Senior Officers were working in the Department of Premier and Cabinet at a salary range of over \$50 000 per annum in 1996-97 compared to 1995-96?
- (2) How many Senior Officers will be working in the Department of Premier and Cabinet at a salary range of over \$50 000 per annum in 1997-98?
- (3) Of the total FTEs in the Department of Premier and Cabinet, what percentage do Senior Officers at a salary range of over \$50 000 per annum constitute?
- (4) How does this compare with other government departments?

Mr COURT replied:

- (1)

1995/96 as at 30/6/96	Salary range 7 or \$50,477 pa+	= 130
1996/97 as at 4/6/97	Salary range 7 or \$50,477 pa+	= 162
- (2) The Ministry will commence 1997/98 with 162 officers on a salary of more than \$50,477 per annum.
- (3) 23.5%
- (4) Comparable information for other agencies is not readily available.

COLLEGES OF TAFE - STUDENTS

Results Statements

1292. Mr McGOWAN to the Minister for Employment and Training:

- (1) Are TAFE students going to continue to receive their grades in results statements?
- (2) Will they now be assessed as merely "passes" or "holds"?
- (3) Will TAFE students now have to pay for their results if they want anything more than a simple "pass" or "hold"?
- (4) If so, what will it cost per unit?

Mrs EDWARDES replied:

- (1)-(2) Most TAFE courses are now competency based. Results will be shown in terms of pass, hold (competence not yet achieved) and "re-enrol" (competence not achieved in the enrolment period). Pass with merit is available as an additional category, where it suits the requirements of a particular industry sector. The current assessment and reporting of results arrangements will continue for the TAFE courses which are not competency based.
- (3)-(4) Individual TAFE colleges may make their own arrangements for the provision of any additional results information.

EDUCATION - VOCATIONAL AND EDUCATION TRAINING

Funding

1301. Mr KOBELKE to the Minister for Employment and Training:

- (1) What is the total Commonwealth funding available to Western Australia for Vocational and Education Training (VET) for the 1997-98 financial year?
- (2) What was the total Commonwealth funding for VET available to Western Australia in the 1996-97 financial year?
- (3) What are the likely changes on VET and TAFE programs in Western Australia from the Commonwealth budget changes?
- (4) What is the likely impact of user choice on the delivery of VET for rural areas in Western Australia?

- (5) What, if any, figures has the State been given by the Commonwealth for funding of VET in the outgoing years beyond 1997-98?

Mrs EDWARDES replied:

- (1) \$93.3m.
- (2) \$95.3m.
- (3) While a decline in the overall funding to labour market and training assistance programs is projected, a number of specific initiatives have been funded including the Community Support Program, Work for the Dole initiatives, and the Green Corps Program. In addition, there is to be a reduction of just over \$20 million nationally in each year of the budget period (1997-98 to 2000-01), bringing funding to States/Territories for general VET purposes back to around \$900 million per year. The impact of the reduction on individual States has yet to be determined.
- (4) In recognition of the small and often marginal training markets that exist in rural areas, user choice in these areas will be managed to ensure that while choice is maximised the viability of existing training infrastructure is guaranteed.
- (5) Details of the budgetary changes are not yet available on a State by State basis.

COMMITTEES AND BOARDS - HOUSING

Membership

1310. Dr CONSTABLE to the Minister for Housing:

Further to your answer to question on notice 34 of 1997, who are the members of the following boards, when and for what period were the members appointed, what remuneration is paid to each member, and who are the Government appointees -

- (a) Homeswest Board;
- (b) Keystart Group of Companies;
- (c) Ellenbrook Management Pty Ltd;
- (d) The Rural Housing Authority Board?

The answer was tabled. [See paper No 495.]

COMMITTEES AND BOARDS - ABORIGINAL AFFAIRS

Membership

1311. Dr CONSTABLE to the Minister for Aboriginal Affairs:

Further to your answer to question on notice 34 of 1997, who are the members of the following boards, when and for what period were the members appointed, what remuneration is paid to each member, and who are the Government appointees -

- (a) Aboriginal Lands Trust;
- (b) Aboriginal Justice Council?

Dr HAMES replied:

The appointments of members of both of these bodies expired on the 31 December 1996. The appointment of the chairpersons and new members is expected in the near future.

DOMESTIC VIOLENCE - PROGRAMS

Expenditure

1315. Dr CONSTABLE to the Minister for Family and Children's Services:

What budgets were allocated and spent on programs related to domestic violence for 1997-98 and in each of the last three years?

Mrs PARKER replied:

It is not possible to fully estimate the total expenditure on domestic violence programs provided by Family and Children's Services as considerable general District Office resources are used in the provision of services in this area.

District services include duty, assessment and counselling. It is possible to calculate the cost of certain specific departmental services which assist victims of domestic violence and their families and to calculate expenditure on non-government domestic violence services funded by the department. Details of allocation and expenditure follow.

Non-Government Funding:

1994/95

Supported Accommodation Assistance Program - Women's refuges	
Allocation:	\$5,645,508
Expenditure:	\$6,333,196
SAAP DV Outreach	
Allocation:	\$311,460
Expenditure:	\$249,932
Domestic Violence Counselling Services	
Allocation:	\$80,670
Expenditure:	\$70,103

1995/96

Supported Accommodation Assistance Program - Women's refuges	
Allocation:	\$6,093,133
Expenditure:	\$6,130,803
SAAP DV Outreach	
Allocation:	\$475,031
Expenditure:	\$543,456
Domestic Violence Counselling Services	
Allocation:	\$227,710
Expenditure:	\$223,961

1996/97

Supported Accommodation Assistance Program - Women's refuges	
Allocation:	\$6,645,664
Expenditure:	\$*
SAAP DV Outreach	
Allocation:	\$533,997
Expenditure:	\$*
Domestic Violence Counselling Services	
Allocation:	\$216,329
Expenditure:	\$*
Domestic Violence Victim Support Services	
Allocation:	\$251,875
Expenditure:	\$*

* This cannot be accurately answered until the end of the financial year

1997/98 Allocations

Aboriginal DV services	\$250,000
Domestic Violence Counselling Services	\$222,429
Domestic Violence Victim Support Services	\$518,978
SAAP - Women's Refuges	\$7,145,664
SAAP - DV Outreach	\$534,440
Children as Secondary Victims Counselling Services	\$330,000

Departmental services:

Family Crisis Program: Spouse Abuse (Discretionary Support)

Expenditure:	
1994/95	\$79,900
1995/96	\$86,000
1996/97	\$120,000*

*This is anticipated expenditure, based on year-to-date expenditure

There are other categories of assistance under the Family Crisis Program which offer assistance to families and individuals who have experienced spouse abuse but it is not possible to extract amounts as the Program does not differentiate by Category Code.

Crisis Care Unit

1994/95)		
1995/96)	Operational costs:	\$74,500
1996/97)	Staffing costs:	\$584,658
1997/98)		

The Crisis Care Unit receives approximately 55,000 calls per annum, 11 per cent of which specifically relate to domestic violence. A further 20 per cent of calls deal with relationship issues.

Family Helpline

1994/95

	Operational costs:	\$5,625
	Staffing costs:	\$37,895

1995/96)	Operational costs:	\$22,500
1996/97)	Staffing costs:	\$151,079

The Family Helpline was established in April 1994 to provide a relationship counselling service as a domestic violence preventive strategy. Over 30 per cent of the 10,000 calls per annum received by the helpline relate to marital/relationship problems.

POLICE - VEHICLE LEASING

Contract Details

1329. Ms MacTIERNAN to the Minister for Police:

- (1) When were 70 Toyota vehicles first leased to the Western Australian Police Force?
- (2) What was the price paid per vehicle per year?
- (3) Did this arrangement involve a level of sponsorship, or subsidy, by Custom Fleet or any other party to the transaction?
- (4) If yes to (3) above, what was the extent of the sponsorship?
- (5) What was the period of the lease arrangement?
- (6) What current arrangements are in place between Custom Fleet and the Western Australian Police Force?

Mr DAY replied:

- (1) The lease agreement was effective from 30 November 1993.
- (2) The monthly lease payment varied from \$84.78 to \$330.00. Variations include \$84.78 for sedans, \$93.79 for station sedans to \$330.00 for special purpose vehicles.
- (3) Yes.
- (4) Parties to the agreement which included Toyota WA Distributor, Big Rock Toyota, Custom Service Leasing Limited and the State Government Insurance Office were given approval to have their logos or other appropriate decals on the vehicles. Sponsorship included -
 - \$25,000 by SGIO for comprehensive insurance.
 - SGIC for comprehensive insurance and leasing payments for Youth Driver Education Program vehicles.
 - Community Policing Council of Western Australia Inc, contribution towards leasing costs of Community Policing vehicles.
 - Aboriginal Affairs Department contribution of \$30,000 towards leasing costs of vehicles provided to Police Aboriginal Liaison Officers.

- Thornlie Rotary Club contribution of \$4,000 for leasing costs of four vehicles.
 - \$9,820 was donated by various schools to support vehicles provided to School Based Police Officers. Maximum contribution from individual schools was \$1,200.
 - Contributions were received from Police and Citizens' Youth Clubs for vehicles used by Branch Managers of individual clubs.
 - Contributions were received from the Ministry of Justice and Department of Premier and Cabinet for leasing two vehicles used for the graffiti program.
- (5) Leasing agreement was effective from 30 November 1993 until 30 November 1995.
- (6) Custom Fleet is one of six fleet managers contracted to the State Supply Commission as part of a 'whole of government' approach to fleet management. The Western Australia Police Service utilise the following services from Custom Fleet under the above contract -
- Acquisition of vehicles;
 - Disposal of vehicles (including repairs).

HOSPITALS - STATISTICS

1333. Mr RIEBELING to the Minister for Health:

With regard to hospitals located in the State electorates of -

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

- (i) what is the name and location of all district or regional hospitals in these electorates;
- (ii) how many medical staff are employed at each of these hospitals;
- (iii) how many administrative staff are employed at each hospital;
- (iv) which of these hospitals have a local "Board of Management";
- (v) which of these hospitals are directly controlled by the Health Department;
- (vi) how many beds are available at each hospital;
- (vii) what medical services are offered at each hospital;
- (viii) what allocation of money has been made to each hospital for the operation of the Patients Assistance Travel Scheme;
- (ix) what allocation has been made to each hospital for the allocation of operating theatres;
- (x) what is the current waiting list for elective surgery at each hospital?

The answer was tabled. [See paper No 498.]

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - STAFF

Statistics

1338. Mr RIEBELING to the Minister for the Environment:

With regard to the Department of Conservation and Land Management's (CALM) activities in the State electorates of -

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

- (i) are CALM officers based in any towns within these electorates and, if so, where;
- (ii) how many staff are employed within each office?

Mrs EDWARDES replied:

- (i)
 - (a) Yes, Albany
 - (b)-(c) No.
 - (d) Yes, Karratha, Karijini National Park, Millstream-Chichester National Park
 - (e) Yes, Collie
 - (f)-(g) No.
 - (h) Yes, Geraldton
 - (i) Yes, Kalbarri National Park
 - (j) Yes, Kalgoorlie
 - (k) Yes, Kununurra, Broome, Geikie Gorge National Park
 - (l) No.
 - (m) Yes, Merredin
 - (n) Yes, Bunbury
 - (o) Yes, Moora
 - (p) Yes, Harvey, Dwellingup
 - (q) Yes, Carnarvon, Denham, Exmouth, Milyering Visitor Centre, Cape Range National Park
 - (r) No.
 - (s) Yes, Esperance, Stokes National Park, Cape Le Grand National Park, Cape Arid National Park
 - (t) Yes, Busselton, Leeuwin Naturaliste National Park, Ludlow
 - (u) Yes, Katanning
- (ii)

(a)	Albany	48
(b)-(c)	Not applicable.	
(d)	Karratha	15
	Karijini National Park	6
	Millstream-Chichester National Park	4
(e)	Collie	31
(f)-(g)	Not applicable.	
(h)	Geraldton	14
(i)	Kalbarri National Park	3
(j)	Kalgoorlie	16
(k)	Kununurra	23
	Broome	9
	Geikie Gorge National Park	2
(l)	Not applicable.	
(m)	Merredin	4
(n)	Bunbury	73
(o)	Moora	12
(p)	Harvey	69
	Dwellingup	86

(q)	Carnarvon	1
	Denham	22
	Exmouth	16
	Milyering Visitor Centre	1
	Cape Range National Park	1
(r)	Not applicable.	
(s)	Esperance	7
	Stokes National Park	1
	Cape Le Grand National Park	2
	Cape Arid National Park	1
(t)	Busselton	38
	Leeuwin Naturaliste National Park	4
	Ludlow	5
(u)	Katanning	8

ENVIRONMENT - FLY-ASH

Burswood Island

1345. Dr EDWARDS to the Minister for the Environment:

- (1) Has the Department of Environmental Protection reviewed the results of any sampling of the fly ash deposit located at Bunbury Bridge on Burswood Island?
- (2) If so, which investigations containing analytical data on the fly ash have been reviewed?
- (3) Has the DEP taken any action on the basis of the data received?
- (4) If so, what action has been taken?
- (5) If not, why has no action been taken?
- (6) On the basis of which report is the Minister satisfied that heavy metals contained in the fly ash will not contaminate surface or ground water at levels exceeding guidelines for maintenance of aquatic ecosystem integrity?
- (7) Has the DEP made an independent assessment of the potential for ground or surface water contamination from the fly ash deposit?
- (8) If not, why not?
- (9) Has the DEP made an independent assessment of the potential for ground or surface water contamination from the fly ash deposit on the Burswood Peninsular?
- (10) Given the high potential leachability and elevated nutrient levels of the fly ash what recommendations have been made to contain the impact of the fly ash on the Swan River?
- (11) Has a time frame for the removal of the fly ash been proposed?
- (12) If not, why not?
- (13) If so, what is that time frame?

Mrs EDWARDES replied:

- (1) Yes.
- (2) The only data at hand is contained in a report entitled "Summary report on flyash deposits near the Bunbury Rail Bridge, Burswood Island" dated March 1993 and prepared by Alan Tingay and Associates.
- (3) The DEP reviewed the report in the context of the recent City Northern Bypass proposal, while attempting to identify areas of potential contamination that may require management.
- (4) The flyash material has been identified as requiring management when and if proposals that affect the area go ahead.
- (5) Not applicable.
- (6) The information in the report indicates that the heavy metal levels within the flyash are low.
- (7) The DEP reviewed the information in the report and determined that there was no requirement for immediate action.

- (8) Not applicable.
- (9) See (7).
- (10) The DEP believes that the threat posed by the flyash deposit is low compared to other nutrient threats, for example, farming in the catchment of the Swan River, and therefore there is no need for immediate action. The City Northern Bypass project may result in disturbance of the flyash material, and that threat will need to be evaluated if and when it eventuates. This matter is being kept under constant review.
- (11) No.
- (12) There is presently no proposal to use the land in question for any purpose. Given that the relative threat posed by the material is low, the DEP believes that the material can be left in place until the final plans for the City Northern Bypass are developed. The long term management of the flyash will then be decided.
- (13) Not applicable.

DEPARTMENT OF ENVIRONMENTAL PROTECTION - MOTT MCDONALD REPORT

Review

1346. Dr EDWARDS to the Minister for the Environment:

- (1) Has the Department of Environmental Protection reviewed the Mott McDonald report commissioned by the Main Roads for the northern city bypass?
- (2) If not, why not?
- (3) If so, what were their comments?
- (4) Given that the Perth photochemical smog study showed Perth to be on the threshold of a serious air quality problem is the Minister satisfied that vehicle emissions from traffic using stage 2 of the northern city bypass will not exceed World Health Organisation guidelines?
- (5) If not, why not?
- (6) Is the Mott McDonald report accurate, given that vehicle emission rates used were considerably lower than those used for the Perth fleet in the Perth photochemical smog study?
- (7) Have vehicle emission rates been understated in the Mott McDonald report through the use of peak traffic flow of 8 per cent of daily traffic volume instead of the more accepted figure of 10 per cent?
- (8) Given the significance of PM10's in relation to hospital admissions for respiratory illness, does the Minister consider the lack of any assessment of PM10's in the Mott McDonald report to be inadequate in terms of air quality accountability?
- (9) If not, why not?
- (10) Is the Minister aware of any reports that have assessed the potential impact of PM10's from the traffic using stage 2 of the northern city bypass?
- (11) If so, what reports have been reviewed?
- (12) By what criteria did the Environmental Protection Authority assess stage 2 of the northern city bypass as not assessed?
- (13) How were the criteria valued?
- (14) What were the results of the evaluations?

Mrs EDWARDES replied:

- (1) No.
- (2) The Mott McDonald report is a planning study which was issued to tenderers for information. The Department of Environmental Protection and Main Roads WA are the government agencies responsible for establishing air quality standards for the City Northern Bypass project. Consequently, the Contractor is required to design the tunnel ventilation system to meet the MRWA/DEP standards for air quality throughout the day.

- (3) As explained in answer to question (2) above.
- (4) Photochemical smog in Perth is a regional air pollution issue with the highest recorded concentrations of ozone often occurring outside the metropolitan area. Strategies to ensure Perth's ozone levels meet appropriate standards are therefore best developed in the regional context, taking into account land use development patterns, transport mode usage and emission reductions from improving vehicle technologies. It is appropriate however, that an assessment be made of the contribution of the point source emissions from the Northbridge tunnel's vents and portals to local air quality in the vicinity of the tunnel. The Main Roads Department has committed to emissions from these sources meeting guidelines contained in advice from the Department of Environmental Protection to the Main Roads Department at the time of the original referral for the tunnel proposal. I have already provided the House with these values.
- (5) See (4) above.
- (6)-(9) See (2) above.
- (10) To the best of the Department of Environmental Protection's knowledge, the Mott McDonald report referred to in question 1, is the only report regarding air quality impacts from the proposed tunnel.
- (11) See (10) above.
- (12) The proposal for the "Burswood bridge and road city bypass (Northbridge tunnel) from Orrong Road, Rivervale to Lord Street, East Perth" was referred to the Environmental Protection Authority on 20 September 1993 and level of assessment was set by the Environmental Protection Authority as Not Assessed. This includes the section that is now being referred to as stage 2. Issues considered when setting level of assessment included contamination, impacts on the Swan River, and traffic planning issues such as noise and local air pollution. Procedures are in place to deal with the first two issues outside the formal assessment process. The DEP has worked with the MRWA to manage any contamination and the Swan River Trust has its own approvals process. The issues of traffic noise and local air pollution are local issues associated with all road construction in urban areas and do not, in themselves, trigger formal assessment by the EPA.
- (13)-(14) It was the Environmental Protection Authority's view that the proponent (Main Roads Western Australia) could adequately manage these issues on advice of other government agencies, without the need for formal assessment. The construction contract incorporates the environmental requirements as legal requirements.

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - WHITTAKERS LTD

Debt

1348. Dr EDWARDS to the Minister for the Environment:

- (1) Does Whittakers Ltd or any of its subsidiary companies owe the Department of Conservation and Land Management any money?
- (2) If yes -
- (a) when was the debt incurred (annual figures);
 - (b) for what goods and/or services was the debt incurred (indicate on a year-by-year basis);
 - (c) what security does CALM have for the debt?

Mrs EDWARDES replied:

- (1) Yes.
- (2) (a) 1996/97
(b) Sale of log timber
(c) CALM has a Deed of Security on Whittakers' assets to the value of \$2m.

ENVIRONMENT - ROYALTIES

Review

1349. Dr EDWARDS to the Minister for the Environment:

With respect to the independent review of the method used to calculate royalties -

- (a) who is undertaking this review;

- (b) what are the terms of reference;
- (c) will public input be received;
- (d) when will the review be completed;
- (e) what is the anticipated cost of the review?

Mrs EDWARDES replied:

- (a) The independent review has not commenced and no person has been engaged.
- (b) The terms of reference have not been completed.
- (c) Relevant affected parties will be consulted.
- (d) 1 April 1998.
- (e) The review has not been costed.

GOVERNMENT CONTRACTS - EMPLOYER ORGANISATIONS

Details

1351. Mr KOBELKE to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

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

Mr COWAN replied:

Department of Commerce and Trade

- (1) Commerce and Trade has provided grant assistance to the Western Australian Chamber of Commerce and Industry and the South West Chambers of Commerce, since July 1995. The member will need to specifically identify the other employer organisations and bodies he is referring to, to enable the department to respond to the latter part of this question.
- (2)
 - (a) Department of Commerce and Trade
 - (b)-(d) (i) Western Australian Chamber of Commerce and Industry: An annual grant of \$15 000 as a contribution to the cost of operating the WA Trade Enquiry Service based at the CCIWA's International Trade Centre. (Total payment (\$30,000 since July 1995) A grant of \$2500 under the East Java Exchange program as a contribution to the cost of a Chamber officer visiting the sister Chamber in East Java.
 - (ii) South West Chambers of Commerce: A grant of \$2500 to the sponsorship of the South West Focus Conference.

Small Business Development Corporation

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

International Centre for Application of Solar Energy (CASE)

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

Technology Industry Advisory Council (TIAC)

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

Gascoyne Development Commission

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

Goldfields-Esperance Development Commission

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

Great Southern Development Commission

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

Kimberley Development Commission

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

Mid West Development Commission

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

Peel Development Commission

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

Pilbara Development Commission

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

South West Development Commission

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

Wheatbelt Development Commission

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

GOVERNMENT CONTRACTS - EMPLOYER ORGANISATIONS

Details

1355. Mr KOBELKE to the Minister for Family and Children's Services; Seniors; Women's Interests:

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

Mrs PARKER replied:

- (1) Family and Children's Services:

Yes.

Women's Policy Development Office:

No.

Office of Seniors Interests:

No.

- (2) Family and Children's Services:

(a) Family and Children's Services.

(b) Chamber of Commerce and Industry of Western Australia.

(c) A tendered contract to provide an information and advisory service on industrial relations and award issues relevant to the community services industry.

(d) \$614,946.

Women's Policy Development Office: Not applicable.

Office of Seniors Interests: Not applicable.

GOVERNMENT CONTRACTS - EMPLOYER ORGANISATIONS

Details

1364. Mr KOBELKE to the Minister representing the Minister for Mines:

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

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

(a) the department or agency involved;

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

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

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

Mr BARNETT replied:

The Minister for Mines has provided the following response:

- (1) The Department of Minerals and Energy has not let or made any contract, grant or secondment since 1 July 1995 to the Western Australian Chamber of Commerce and Industry, or any other employer organisation or body established or controlled by an employer organisation.

- (2) Not applicable.

GOVERNMENT CONTRACTS - EMPLOYER ORGANISATIONS

Details

1365. Mr KOBELKE to the Minister for Police; Emergency Services:

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

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

(a) the department or agency involved;

- (b) the recipient of the contract, grant or secondment;
- (c) a description of the purpose for the contract, grant or secondment; and
- (d) the value or cost of the contract, grant or secondment?

Mr DAY replied:

Western Australia Police Service

- (1)-(2) No contracts, grants or secondments have been made since 1 July 1995 to the Western Australian Chamber of Commerce and Industry. An answer is unable to be provided in relation to the other employer organisations or bodies established or controlled by an employer organisation without specific name or title.

Bush Fires Board

- (1)-(2) Nil.

Fire & Rescue

- (1)-(2) Nil.

State Emergency Service

- (1)-(2) Nil.

GOVERNMENT CONTRACTS - EMPLOYER ORGANISATIONS

Details

1371. Mr KOBELKE to the Parliamentary Secretary to the Minister for Sport and Recreation:

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

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

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

GOVERNMENT CONTRACTS - EMPLOYEE ORGANISATIONS

Details

1373. Mr KOBELKE to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

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

- (c) a description of the purpose of the contract, grant or secondment;
- (d) the value or cost of the contract, grant or secondment?

Mr COWAN replied:

Department of Commerce and Trade

- (1) Commerce and Trade has not let or made contracts, grants, or secondments , since 1 July, 1995 to the Western Australian Trades and Labor Council. The member will need to specifically name the unions, bodies and employee organisations he is referring to, to enable the department to respond to the latter part of the question.
- (2) Not applicable.

Small Business Development Corporation

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

International Centre for Application of Solar Energy (CASE)

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

Technology Industry Advisory Council (TIAC)

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

Gascoyne Development Commission

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

Goldfields-Esperance Development Commission

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

Great Southern Development Commission

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

Kimberley Development Commission

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

Mid West Development Commission

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

Peel Development Commission

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

Pilbara Development Commission

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

South West Development Commission

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

Wheatbelt Development Commission

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

GOVERNMENT CONTRACTS - EMPLOYEE ORGANISATIONS

Details

1376. Mr KOBELKE to the Minister for the Environment; Employment and Training:

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

Mrs EDWARDES replied:

Perth Zoo:

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

Department of Environmental Protection:

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

Kings Park and Botanic Garden

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

Western Australian Department of Training

- (1) Yes
- (2)
 - (a) Department of Training.
 - (b) State School Teachers' Union (SSTU) of Western Australia; Australian Education Union (AEU) (WA Branch).
 - (c) Secondment of staff to assist with industrial matters.
 - (d) \$27 000, as, in the main salary costs have been paid by the SSTU and AEU.
 - (a) Central Metropolitan College of TAFE.
 - (b) Australian Education Union (AEU).
 - (c) Secondment of an officer to undertake industrial advocacy.
 - (d) Nil, as salary costs have been paid by the AEU.
 - (a) Midland Regional College of TAFE.
 - (b) State School Teachers' Union (SSTU) of Western Australia.
 - (c) Secondment of an officer to act as TAFE organiser to assist with the implementation of the new industrial award for TAFE lecturers.
 - (d) Nil, as salary costs have been paid by the SSTU.
 - (a) South Metropolitan College of TAFE.
 - (b) Community and Public Sector Union (CPSU).
 - (c) Secondment of an officer for staff development purposes.
 - (d) Nil, as salary costs have been paid by the CPSU.

Conservation and Land Management

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

GOVERNMENT CONTRACTS - EMPLOYEE ORGANISATIONS

Details

1377. Mr KOBELKE to the Minister for Family and Children's Services; Seniors; Women's Interests:

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

Mrs PARKER replied:

- (1) Family and Children's Services:
Yes.
Women's Policy Development Office:
No.
Office of Seniors Interests:
No.
- (2) Family and Children's Services:
 - (a) Family and Children's Services.
 - (b) Civil Service Association of WA.
 - (c) Professional development of officer and to develop the relationship between the department and the organisation.
 - (d) Salary was paid by the recipient.Women's Policy Development Office:
Not applicable.
Office of Seniors Interests:
Not applicable.

GOVERNMENT CONTRACTS - EMPLOYEE ORGANISATIONS

Details

1386. Mr KOBELKE to the Minister representing the Minister for Mines:

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

Mr BARNETT replied:

The Minister for Mines has provided the following response:

- (1) The Department of Minerals and Energy has not let or made any contract, grant or secondment since 1 July 1995 to the Western Australian Trades and Labor Council, any union or body established or controlled by an employee organisation.
- (2) Not applicable.

GOVERNMENT CONTRACTS - EMPLOYEE ORGANISATIONS

Details

1393. Mr KOBELKE to the Parliamentary Secretary to the Minister for Sport and Recreation:

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

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response -

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

PARKS AND RESERVES - REGIONAL

Budget Allocation

1395. Dr EDWARDS to the Minister for the Environment:

What moneys have been allocated in the budget of the Department of Conservation and Land Management for regional parks?

Mrs EDWARDES replied:

\$1m has been allocated for 1997/98, \$1.8m for 1998/99 and \$2.35m per annum thereafter.

LAND - MINIM COVE

Development Plans - Parking and Clean Fill

1399. Dr EDWARDS to the Minister for Lands:

- (1) How many metres of direct foreshore road, without housing on the river side, are situated in front of Minim Cove Estate?
- (2) How much foreshore parking is planned within 20 metres of the Minim Cove Estate and within the actual estate?
- (3) What direct vehicular access to the foreshore is there for council vehicles and emergency services through the estate and along the foreshore frontage of the Minim Cove Estate?
- (4) How much clean fill is estimated to be imported to the Minim Cove Estate for the purpose of -
 - (a) raising levels;
 - (b) covering contaminated soils to complete the estate to current planned contours?
- (5) What is the estimated cost of the fill noted in (4) above?
- (6) What additional profit does LandCorp anticipate that the provision of such a fill will generate by increasing contours to maximise views?

- (7) What financial loss to local property owners along McCabe Street is estimated to be caused by the loss of view from the contour changes as noted in (6) above?
- (8) How many truckloads of soil will be required, over what time and what is the estimated cost of damage to roads of such movement?
- (9) What is the likely road route for bringing in the clean fill and from where will the clean fill be obtained?
- (10) What is the highest increase in height above the existing ground level that the current contour plans will produce?
- (11) What compensation will LandCorp pay to existing residents of Mosman Park for loss of view amenity?
- (12) Will LandCorp retain the historic railway cutting evident near the western border of the hillock?
- (13) How many hectares of flat open riverfront public open space within 30 metres of the foreshore boundary of the estate are being provided by the co-developer LandCorp?
- (14) How many hectares of flat open riverfront public open space within 30 metres of the foreshore boundary of the estate are being provided by the co-developer Octennial Holdings?
- (15) What will be the closest parking on the actual estate to the foreshore reserve at Minim Cove?
- (16) Has the Minister been presented with revised plans for Minim Cove by the Minim Cove Protection Group that includes a foreshore road along most of the foreshore and improved access to the foreshore?
- (17) What exact dollar effect would those plans noted in the question above have on the profitability of the development should they be introduced?

Mr SHAVE replied:

- (1) The subdivision design provides approximately 65 metres of road reserve which directly abuts the foreshore open space.
- (2) It is planned to provide approximately 60 car parking bays subject to negotiation with and approval of the Town of Mosman Park.
- (3) Vehicular access to the foreshore will be available to Council and emergency services via the western entry road, the eastern entry road, Perrot reserve and the foreshore dual use path system.
- (4)
 - (a) There is no imported fill required for approximately 80 per cent of the site. Imported fill is required for 20 per cent of the site in the western corner. On average, contour levels will be raised about 3.6m above the old ground contours in this area.
 - (b) The cell will be covered by an average of 1.6m of clean fill.
- (5) \$9.00m³.
- (6) Based on sales experience elsewhere it is well recognised that purchasers will pay a premium for lots with a river aspect. The prevailing market conditions will determine the extent of this premium.
- (7) It is considered that any perception of financial loss would be outweighed by the gains through the betterment to the area created by the project.
- (8) There will be approximately 6,500 truckloads of fill over a 22 week period. No estimate of damage to roads is available. It is normal practice for the developer and the Council to inspect roads and agree a repair program to make good the roads if required.
- (9) Fill will be sourced from metropolitan sand supply pits or other clean sources and delivered to the site via Stirling Highway and McCabe Street.
- (10) There will be up to five metres of fill required in the western corner.
- (11) I refer to (7) of this question.
- (12) It is not possible to retain the cutting due to the requirement that this area also be subject to clean up and earthworks.
- (13)-(14) The subdivision design provides for LandCorp and Octennial Holdings to contribute land for public open

space in accordance with normal subdivision conditions which require a contribution that this will equate to LandCorp 1.07ha and Octennial Holdings 0.30ha. The open space is concentrated around a central hill and in corridors linking through to the foreshore. About one third of this open space is within 30 metres of the foreshore reserve. The foreshore reserve has an area of approximately 2.89ha.

- (15) The closest proposed parking to the foreshore is located at the end of the eastern entry road, the western entry road and at Perrott reserve.
- (16) Yes, however it is not conclusive that the design improves access to the foreshore.
- (17) The design does not have any detail of lot yield so it is not possible to assess its exact dollar effect on the profitability of the development. Generally the effect would be a loss of profitability on lots with no view, loss of profitability due to cost of construction of a road with lots only on one side.

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - EXECUTIVE DIRECTOR

Protest Rally Involvement

1400. Dr EDWARDS to the Minister for the Environment:

- (1) Is the Minister aware that the Executive Director of the Department of Conservation and Land Management, Dr Syd Shea, was one of the advertised speakers at a protest rally organised by the so-called Forest Protection Society in Pemberton on Friday, 6 June 1997?
- (2) Did he in fact attend?
- (3) Does Government policy allow the participation of senior departmental officers in political activities, like protest rallies, organised by partisan lobby groups?

Mrs EDWARDES replied:

- (1) Dr Shea was invited to speak to a public meeting on the subject of CALM's tourism initiatives.
- (2) No.
- (3) Government officers are often called on to brief, meet with, or address groups who may be considered to be partisan lobby groups.

POLLUTION - CLOUGH RESOURCES

Stormwater Management System

1402. Dr EDWARDS to the Minister for the Environment:

- (1) Why have Clough Resources failed to complete a stormwater management system for their Wundowie Foundry before the onset of winter 1997?
- (2) What action has the Department of Environmental Protection (DEP) taken in response to this lack of a stormwater management system?
- (3) Is the DEP aware of an alternative system for managing off site pollution that Clough Resources is currently undertaking?
- (4) If so, what is the nature of that system?
- (5) Given recent heavy rains and the raised levels in the tar ponds at the Wundowie Foundry has the adjacent stormwater been monitored for phenols?
- (6) If not, why not?
- (7) If so, what were the results?
- (8) Why has no further noise monitoring been undertaken at the Wundowie Foundry since the failure of noise monitoring equipment last used on site?
- (9) Have bioremediation trials yielded a method of chemically neutralising the odours from the tar ponds at the Wundowie Foundry?
- (10) If so, when will this process be put into place?

Mrs EDWARDES replied:

- (1) Clough Resources committed in writing to the DEP to install a stormwater management system prior to the onset of winter this year. When it became apparent that this commitment was not going to be met, officers from the DEP met with senior management at Clough Resources to discuss the matter. Following this meeting, the DEP was informed that the installation of the management system during the wet season could present serious engineering difficulties. However, interim measures acceptable to the DEP have been developed and are currently being implemented, with the intention of installing a more permanent solution during the forthcoming dry season.
- (2) Officers from the DEP have met with senior management at Clough Resources, resulting in interim measures being developed.
- (3) Yes. Clough Resources are currently implementing an interim stormwater management system.
- (4) The interim measures involve the installation of interception trenches and bunds to direct potentially contaminated surface water runoff to a collection point.
- (5) An officer from the DEP visited the premises on 23 June 1997, in the company of an environmental consultant contracted by Clough Resources to investigate the issue of contamination. A visual inspection of the adjacent stormwater culverts at that time showed that there was no surface water migrating from the premises.
- (6) Not applicable.
- (7) At the time of the visit no water was visible in the stormwater culverts and as such it was not possible to collect samples for analysis.
- (8) Despite the fact that the noise monitoring equipment failed on site, adequate information to identify the particular machinery causing the noise was obtained. Thus, there has been no further need for formal monitoring. The department is continuing to work with Clough Resources to ensure that noise levels at residential premises meet acceptable standards.
- (9) A large scale bioremediation plot may be effective in degrading the tar in the long term, however it is not suitable for short term neutralisation of odours.
- (10) Not applicable.

SMALL BUSINESS - STOKES MUSIC LAND

Closure

1420. Mr BROWN to the Minister for Small Business:

- (1) Is the Minister aware of an article that appeared in *The West Australian* on 27 May 1997 concerning the closure of the Perth retailer Stokes Music Land?
- (2) Is the Minister also aware that Accountant Louis Nilant, who was appointed the administrator of Stokes Music Land, said the closure of the store was indicative of the depressed state of retailing in general?
- (3) Has the Government carried out any research to identify the causes of the depressed state of retailing?
- (4) If not, why not?
- (5) If so, what does the research reveal?
- (6) Does the Government intend to carry out any further research?
- (7) If so, when?
- (8) What will be the nature of that research?

Mr COWAN replied:

- (1)-(2) Yes.
- (3) No.
- (4) Comprehensive research on retail sector trends and performance is already undertaken by a range of private,

public sector and academic organisations precluding the need for the WA government to expend resources on duplicating similar research.

- (5) Existing research has indicated several reasons for the downturn in some retail areas. Other areas, such as food and household goods are showing evidence of growth over the 12 months to April 1997 (according to ABS retail figures). Private sector consumption demand has been generally flat in WA and across Australia over the last two years. Trend growth in retail turnover for WA is currently less than 1 per cent. Perth is also oversupplied with retail outlets and continued discounting by retailers in a bid to maintain turnover in the face of slow demand has led to lower profits across the industry. Consumer confidence plays an important role in retail spending. Recent interest rate cuts are likely to restore some confidence in spending by consumers and have the added benefit of relieving borrowing costs of retailers.

Structural changes within the industry are also putting pressure on existing retailers. New retail systems are emerging especially in franchising, mega-centres and home shopping which are contributing to the changing face of retail. These changes reflect the intense competition for the consumer dollar referred to in the article featuring Mr Stoke's retail business.

- (6) No. The Government will continue to utilise the various existing sources of information.
- (7)-(8) Not applicable.

FAIR TRADING - OIL COMPANIES

Fuel Prices

1423. Mr BROWN to the Minister for Fair Trading:

- (1) Is the Minister aware that independent service station proprietors have raised concerns about oil companies selling fuel to their own outlets at a lower price than the same companies are prepared to make fuel available to independent operators?
- (2) Is the Minister aware that a number of independent operators face the prospect of going out of business unless legislation is introduced to stop unfair trading?
- (3) Has the Minister made any representations to the Federal Government in this regard?
- (4) Does the Minister intend to introduce any State legislation to prevent unfair trading between oil companies and independent service station proprietors?
- (5) Will the Minister introduce legislation or prevail on his Federal colleagues to introduce legislation that compels oil companies to sell fuel to independent operators at the same price as it makes the fuel available to its own distribution network?
- (6) If not, why not?

Mr SHAVE replied:

- (1) Yes.
- (2) I have received comments from individuals and representative associations expressing their views on the Commonwealth Government's policy in this area.
- (3) The Government has indicated broad support for the national reforms recommended by the 1996 Inquiry into Petroleum Products Declaration conducted by the Australian Competition and Consumer Commission.
- (4) No. The Commonwealth Government has responsibility for matters relating to the production, refining and marketing of motor fuel as it is a strategic national resource. It would be inappropriate for the State Government to legislate in this area. Commonwealth legislation, especially the Trade Practices Act already addresses these issues.
- (5) Commonwealth Government legislation already addresses these issues. The State Government has indicated to the Commonwealth Government the need for their policies to be fair, particularly in relation to small business, and will continue to stress this view.
- (6) The national reform proposals include commitment to the establishment of competitive and transparent pricing arrangements particularly at the wholesale level. The Western Australian Government supports that objective.

LAND - BOTANICAL GARDENS

Establishment - Government Support

1432. Mr BROWN to the Minister for the Environment:

- (1) Is the Minister aware of an article that appeared in *The West Australian* newspaper on 1 February 1997 concerning the possibility of the Government supporting the establishment of a botanical garden suitable for tourism, nature preservation and teaching horticulture?
- (2) Has the Government considered a proposal?
- (3) If so, does the Government intend to support it financially or otherwise?
- (4) In what way will the Government support the proposal?

Mrs EDWARDES replied:

- (1)-(2) Yes.
- (3) The matter is under discussion between the Horticultural Council of WA and Kings Park and Botanic Garden.
- (4) Advice from Kings Park and Botanic Garden in the first instance.

HOUSING - PUBLIC

Additional - Budget Allocation

1450. Mr BROWN to the Minister for Housing:

- (1) How much has been allocated for the provision of additional public housing in the 1997-98 State Budget?
- (2) Of the money allocated to additional public housing, what amount comes from the -
 - (a) Commonwealth Government;
 - (b) other sources (specify)?
- (3) How much was allocated for this purpose in the 1996-97 State Budget?

Dr HAMES replied:

- (1) \$480.90m.
- (2)
 - (a) \$46.43m
 - (b) \$434.47m as follows -

\$35.89m	Land Sales (CSHA matching)
\$128.85m	Property Sales
\$145.00m	Keystart Borrowings
\$124.73m	Keystart Loan Repayments and Discharges.
- (3) \$396.43m.

YOUTH - GOVERNMENT INITIATIVES

1453. Mr BROWN to the Minister for Youth:

- (1) Does the Government plan to introduce a number of new initiatives that benefit young people?
- (2) If so, what new initiatives does the Government plan to introduce?
- (3) When will each of the initiatives be introduced?
- (4) What is the cost of each initiative?

Mr BOARD replied:

- (1)-(4) Through the Office of Youth Affairs, the Government is developing a significant range of programs which will benefit youth throughout the State and, indeed, more broadly. At the national level, I have been requested by the recent National Youth Ministers' Meeting to develop plans for programs which will focus attention on two main issues: promoting the achievements and image of young people, and encouraging

recognition of the importance of further education and training among young people. We also will be participating in other national programs, and Western Australia will now chair the National Youth Affairs Research Scheme, with a focus on the two priorities identified by the Youth Ministers. Within the State, there will be action focused on co-ordination, consultation, advocacy for youth and specific programs appropriate to the role of the Office of Youth Affairs.

Coordination with young people and those working with or concerned for them is already occurring around the State. The Youth Minister's Advisory Council is in place and has subcommittees working on some specific issues such as youth suicide, road safety, employment, and promoting the image of youth; I also anticipate the establishment of Youth Advisory Councils around the State working in close co-operation with Local Government. With advice from the Youth Advisory Councils and other sources, I believe that it will be especially important for me as Minister and the Office of Youth Affairs to be seen as advocates for young people, and I anticipate developing this role significantly during the coming year. The number of units in our Cadets program will increase this year from 11 to 40, and it is the Government's intention that this should ultimately be available to all secondary school students throughout the State.

The Office of Youth Affairs' Internet site ".u" is currently being expanded, along with a range of further information initiatives. Planning is under way for a Youth Expo which will be a major four day event aimed at providing both information and services for young people and others in a style which attracts their interest. Feasibility studies are under way for the development of a Youth Leadership School.

I will shortly be announcing a major new grants program which will focus on encouraging new and positive initiatives to benefit young people. This will complement the grants program currently administered by the Office of Youth Affairs. A range of further initiatives and programs is being developed by the Office of Youth Affairs, with a strong emphasis on co-operation with other Government and non-government organisations.

REGIONAL DEVELOPMENT COMMISSION - PRIORITY ISSUES

1454. Mr BROWN to the Minister for Regional Development:

- (1) Can the Minister advise the six priority issues each Regional Development Commission is working on at the present time?
- (2) How much has been allocated to each issue?
- (3) What is expected to be the economic benefit to the State of each issue?

Mr COWAN replied:

Gascoyne Development Commission

- (1)
 - (a) Development of policies, strategies and plans.
 - (b) Industry and enterprise development.
 - (c) Infrastructure identification and coordination.
 - (d) Regional promotion.
- (2)
 - (a) \$185,000
 - (b) \$153,000
 - (c) \$2,413,000
 - (d) \$121,000
- (3) Regional employment and population growth.
Growth and diversification of the regional economy.
Promotion of regional investment opportunities.

Goldfields-Esperance Development Commission

- (1)
 - (a) Esperance Power Options.
 - (b) Water Pipeline - Esperance to Kalgoorlie-Boulder.
 - (c) Goldfields Pilbara Highway/Kalgoorlie-Boulder Transport Hub.
 - (d) Centre for Arid Land Science.
 - (e) Eastern Goldfields Senior High School Study.
 - (f) International Collaboration in Arid Land Studies.
- (2)
 - (a) \$48,100
 - (b) \$42,650
 - (c) \$25,280
 - (d) \$35,300
 - (e) \$10,800

- (f) \$82,238
- (3) (a) Esperance Power Options: Establish a new, cost effective, long term power supply/source for the Esperance region to assist business and industry groups provide long term development and broaden the economic base of the region. Encourage investment and population to the region with flow on benefits to the State generally.
- (b) Water Pipeline from Esperance to Kalgoorlie-Boulder: The construction of a water pipeline from Esperance to Kalgoorlie-Boulder to supply water primarily for mining and industrial purposes. The benefits to the State would include benefits to mining processes which in turn will increase the number of value added WA exports and reduce the demand on the Perth water resource due to an alternative supply and environmental benefits.
- (c) Goldfields Pilbara Highway/Kalgoorlie-Boulder Transport Hub: It will provide reduced costs to the transport and mining industries in the State as well as increasing the tourism potential of the region and will enable the State to become more competitive in terms of export trade. The sealing of the Goldfields Highway is important for the viability of the Kalgoorlie-Boulder Intermodal Transport Hub Development project.
- (d) Centre for Arid Land Science: The Centre will provide opportunities for collaborative international research developing new technologies which can be exported to other parts of Australia and overseas. It will provide new scientific information which will form the core of training courses for Australian and overseas course participants at Curtin University - Kalgoorlie Campus. The Centre will also help develop diversification options for arid land managers which will have environmental and economic benefits.
- (e) Eastern Goldfields Senior High School Study: Identify the school's current and future social infrastructure needs in the context of an expanding regional economy. The aim of the study is to seek options for providing the best possible facilities to further the learning outcomes of students completing their secondary education into the next century. This will assist to attract, and keep, population in the region.
- (f) International Collaboration in Arid Land Studies: This collaborative research program with Tokyo University, will result in the development of new land rehabilitation technologies and production of plants in degraded arid environments, which ultimately will improve the sustainable production of food from arid zones of the world. This will enhance the State's international reputation while having the potential to attract new investment and export earnings.

Great Southern Development Commission

- (1) The Great Southern Development Commission advises that the six most important priority issues that it is working on at the moment are -
 - (a) Wool Processing: GSDC is working closely with Chinese textile and Chinese Government officials to establish a trans-national company to scour and process wool in a Great Southern location.
 - (b) Aboriginal Economic Development Initiatives: GSDC is progressing several projects dealing with a potential Aboriginal Interpretative Centre, a Cultural Heritage Centre, aquaculture and art and craft development projects designed to stimulate employment of Aboriginal people.
 - (c) Acting Globally for Results Locally: This project involves undertaking an audit of the region's capabilities and research, identify and develop a range of opportunities, which will give significant employment opportunities, where the region has a comparative advantage in the domestic and international marketplace. GSDC is also continuing to assist networks, particularly in the wine and seafood industries.
 - (d) Vital Foods and Albany Spinning Mills: GSDC is working with these two companies and ensuring that their effluent and waste water discharges are being managed successfully.
 - (e) Whaleworld Redevelopment: GSDC is working with the proponents of this project which has tremendous tourism potential.
 - (f) GSDC is addressing the inequality of the provision of telecommunication services to people in rural areas and focussing on the problems constraining business development in rural areas.

(2) The budget allocations against the above projects are respectively -

(a)	Wool Processing	\$ 25,000
(b)	Aboriginal Economic Development	\$ 40,000
(c)	Acting globally for Results Locally	\$160,000
(d)	Effluent/Waste Water	\$400,000
(e)	Whaleworld redevelopment	\$ 10,000
(f)	communication issues	\$ 6,129

(3) GSDC expects the economic benefit to the State of the above to be respectively -

- (a) enhanced vertical integration of wool processing in the Great Southern region. Additional new jobs (approximately 30). Economic spin off benefits for the region generally.
- (b) Increased employment opportunities for the Aboriginal people of the region. Greater understanding and acceptance of the Aboriginal people. New tourism infrastructure development.
- (c) Appropriate economic development projects which have regional comparative advantage being identified and pursued. Greater export incentives for the producers of regional products. Cooperation between small producers. The benefits of pooling skills and knowledge and developing networks with greater capacity for production. Guaranteeing ensuring quality and quantity of product to overseas markets.
- (d) Ensuring the continued viability of two businesses which are of vital importance to Albany and the region.
- (e) A potential premier tourism destination for the region. Whaleworld has the potential to double tourist numbers for the region, with the corresponding benefits from the "green" and "clean" industry.
- (f) The maintenance and expansion and development of communication infrastructure is expected to have a positive and pervasive effect on the communities of the region and businesses success and development.

Kimberley Development Commission

(1) The key and current issues for the Kimberley Development Commission are -

1. Development of Policies and Strategic Plans
2. Industry and Enterprise Development
3. Infrastructure Identification and Co-ordination
4. Regional Promotion

(2) Resources are allocated to the above issues as follows:-

1. \$460,000
2. \$358,000
3. \$358,000
4. \$116,000

(3) The following economic benefits are expected to accrue to the State -

- (i) Regional employment and population growth
- (ii) Growth and broadening of the regional economy
- (iii) Promotion of regional business investment opportunities.

Mid West Development Commission

- (1) (a) Facilitating the implementation of "Towards 2010" - a regional economic development strategy for the Mid West region. This strategy will provide a framework for the region to develop its economy.
- (b) Joint development and implementation of a regional transport strategy to guide the Mid West Region's transport needs.
- (c) Preparation and implementation of an investment strategy that focuses on investment attraction and business investment. A high priority for this activity in 1997/98 is to secure adequate resources to fund the infrastructure priorities of the region.

- (d) Support the redevelopment of Geraldton's foreshore including the development of the Batavia Coast Marina and a new Geraldton Region Museum.
 - (e) Maximise the employment and business opportunities for regional communities and enterprises from the regions natural resources and competitive advantages. Key projects in 1997/98 will be the facilitation of business and employment outcomes for two major iron and steel plants proposed within the Greater Geraldton area.
 - (f) Broker partnerships with Aboriginal communities and key stakeholders to increase participation in the region's mainstream economy.
- (2) Allocations to each of the above mentioned issues include -
- (a) \$100 000
 - (b) Estimated \$65 000
 - (c) Estimated \$30 000
 - (d) \$1.875 m for new Region Museum in 1997/98
\$355 000 for redevelopment works in the Batavia Coast Marina (within LandCorp's Budget for 1997/98)
 - (e) Estimated 0.3 FTE staff time.
 - (f) Nil. Moneys to be sought from external sources ie ATSIC, OAED
- (3) The expected economic benefit to the State of each issue is estimated as -
- (a) Coordinated economic development
 - (b) Coordinated and integrated transport networks
 - (c) Increased investment attraction to the Mid West
 - (d) Projected economic multiplier for completed project is \$180- \$200 million
 - (e) Potential industry investment of over \$2 billion
 - (f) Strong partnership with Aboriginal communities to create employment opportunities and successful businesses.

Peel Development Commission

- (1)
 - (a) Mandurah Ocean Marina
 - (b) Kwinana Freeway Extension to Pinjarra Road/Mandurah
 - (c) Peel Economic Development Strategy
 - (d) Establishment of Regional Business Industry Parks
 - (e) Peel Region Open Plains Zoo
 - (f) Pinjarra Heritage Precinct including Rail Heritage Centre
 - (2) Mandurah Ocean Marina: The Commission was allocated \$300,000 for the first stage of investigations for the proposed \$250 million Mandurah Ocean Marina. A further \$1 million has been allocated in the 1997/98 financial year.
- Kwinana Freeway: The Commission is seeking to have \$3.5 million allocated to the detailed planning of the section of Freeway between Folly Road and Pinjarra Road.
- Peel Economic Development Strategy: The Document was completed in August 1996 and the Commission has commenced the implementation of the Strategy which will involve the co-operation and resources of other Government agencies. The Commission was allocated \$20,000 to develop the strategy and finance for implementation will be sought from the Minister for Regional Development.
- Establishment of Regional Business Industry Parks: \$10,000 towards a \$30 000 investigation into suitable sites in the Peel region for the development of business and industry parks. The investigations commence in June 1997.
- Peel Region Open Plains Zoo: \$20000 towards a \$30000 investigation into establishing an Open Plains Zoo in the Peel Region. The investigation starts June 1997.
- Pinjarra Heritage Precinct/ Rail Heritage Centre: \$30 000 towards a planning study and \$150 000 over two financial years for the development of the Pinjarra Rail Heritage Centre.
- (3) Mandurah Ocean Marina: The development will provide 300 jobs and approximately \$200 million to \$230 million of private investment. The State will have a premier regional marina and tourist complex in Western Australia's premier day visitor tourist location.
- Kwinana Freeway Extension: Provision of rapid transit route to the heart of the Peel region for commuters, tourists and business interests will act as a catalyst for further residential and business development and will

assist in increasing the economic diversity of the Region, providing jobs for an area with a high unemployment rate.

Peel Economic Development Strategy: The implementation of the key strategies over a number of years will have significant economic benefits in terms of development infrastructure and jobs in the Peel Region.

Peel Region Open Plains Zoo: The presence of Region Open Plains Zoo of international standing in the Peel Region will be a major tourist attraction with the significant economic spin offs that come with a major tourist facility. The proximity to Perth will ensure a significant visitor market is available.

Pinjarra Heritage Precinct/ Rail Heritage Centre: The Centre will provide a large scale tourist attraction for the State based on Rail Heritage and Eco Tourism. Up to 50 full-time jobs will be created through the project and associated tourism infrastructure. Job skills training will also be provided through the proposed education campus onsite. It is expected to provide \$2.5 million p/a revenue and private sector investment in associated infrastructure of \$1.5 million.

Pilbara Development Commission

- (1)
 - (a) Diversify the Economy
 - (b) Create opportunities for Aboriginal People
 - (c) Remove impediments to Development
 - (d) Normalise Housing
 - (e) Exploit the Pilbara's Competitive advantage
 - (f) Improve infrastructure
- (2)

	1996-1997	1997-1998
(a)	\$112000	\$218000
(b)	\$137000	\$145000
(c)	\$147000	\$156000
(d)	\$ 95000	\$100000
(e)	\$103000	\$109000
(f)	\$865000	\$728000
- (3)
 - (a)
 - (i) increased value adding
 - (ii) improved balance of payments
 - (iii) increased GDP
 - (iv) increased employment
 - (b)
 - (i) increased in Aboriginal employment
 - (ii) decrease in welfare payments
 - (c)
 - (i) increased investment in the Pilbara
 - (ii) improved value adding
 - (iii) increased balance of payments
 - (iv) increased employment
 - (v) increased GDP
 - (d)
 - (i) increased value adding
 - (ii) improved balance of payments
 - (iii) increased GDP
 - (iv) increased employment
 - (e)
 - (i) increased value adding
 - (ii) improved balance of payments
 - (iii) increased GDP
 - (iv) increased employment
 - (f)
 - (i) increased value adding
 - (ii) improved balance of payments
 - (iii) increased GDP
 - (iv) increased employment
 - (v) more efficient and effective use of state resources, that will continue to attract industry to the region.

South West Development Commission

The six priority issues for the South West Development Commission are as follows -

- (1)
 - (a) Developing Industries Study (an investigation of opportunities that will arise in the region as a result of lower energy tariffs).

- (b) Maximising Local Content From Projects.
 - (c) International Marketing of the South West (both direct and through a business focussed Internet site)
 - (d) Assisting small business to develop greater professionalism and to grow and create more jobs through the Commission's Business Grow program.
 - (e) South West Eco Museum, a series of linked interpretive sites in different natural environments in the South West Region.
 - (f) Western Timber Co-operative
- (2)
- (a) \$35,000
 - (b) \$85,000
 - (c) \$22,000
 - (d) \$30,000
 - (e) \$250,000
 - (f) \$28,000
- (3)
- (a) The benefit to the State will be determined by the success of marketing the results of the study.
 - (b) South West businesses have been successful in attracting over \$200 million of work from projects in the region in the last two years. The Commission is aiming to build on that success.
 - (c) The benefit to the State will be determined by the success of our marketing efforts
 - (d) A survey of 55 businesses assisted by Business Grow over an eighteen month period identified that 41 had increased staff for a total of 198 new positions.
 - (e) The provision of infrastructure to increase tourism visitation numbers, particularly from overseas.
 - (f) The addition of up to 2.5 million cubic metres of timber per annum from existing farmland with no reduction on agricultural output, and the potential for creation of 500 new jobs.

Wheatbelt Development Commission

- (1)-(2) (a) Information Technology and Telecommunications has been the major area for the Wheatbelt Development Commission in 1996/97, taking approximately 17% of the Commission's resources, with a predicted expenditure of around \$190,000 (includes salaries, contingencies, consultancies and board time.) At this stage the work has been preliminary and has involved community awareness raising and strategy development. The next step in the new fiscal year is to coordinate effort in attracting infrastructure, and work towards communities and businesses making the most of the opportunities presented.
- (b) Development Strategies and Strategic Planning have been a major part of this fiscal year with the Commission finalising its Strategic Plan and the Wheatbelt's Economic Vision Document. Both of these documents are important to the region to ensure that Government funds are spent in the best possible way and to assist communities to work towards common goals effectively.
- (c) Aquaculture has been an area of major emphasis for the Commission for some years. The Wheatbelt Development Commission has worked on fresh water aquaculture and mariculture, as well as looking at associated industries. \$64,000 or approximately 5% of the Commission's resources were effectively used on the aquaculture industry. Approximately \$256,000 has been spent this year, representing about 25% of the Commission's budget. This amount will not be spent on strategies in the ensuing years, with much more being allocated for implementation.
- (d) Agricultural Processing: The Commission is involved in planning and consultation with groups and communities with an interest in this area. Approximately \$62,000.
- (e) To maximise the impact of the State's resources going into regional development it is imperative that as many people as possible are involved in the development process. One method of achieving this is to facilitate establishment, and work with development groups. \$56,000
- (f) The Commission has worked with companies looking to export, and has run some export assistance seminars. This is an export oriented region, and many people wishing to pursue this require information; 4%, or \$46,000, has been spent on export development.

- (3) (a)-(b) The benefit to the State from this work is maximisation of the effort of not only the regional development dollar, but of all activity in the Wheatbelt region.
- (c) This region has some unquestionable comparative advantages for aquaculture development. This industry is the only way world demand can be met for fish products, and presents great potential for investment and employment.
- (d) The Wheatbelt Region is one of the main agricultural regions in Western Australia and it is imperative that we continue to pursue opportunities for agricultural processing and continue to support those attempting to move into this area of value adding.
- (e) Long term involvement by range of people in regional development is the only way to effectively pursue sustainable economic growth in our regional areas. This greatly enhances the impact of government dollars in the regions.
- (f) The Wheatbelt Region's potential production capacity far exceeds its demand, and development of markets and export ability is imperative to this region's continued growth. There is no one industry that this activity focuses on, with the Wheatbelt Development Commission providing assistance to a range of entrepreneurs.

FAMILY AND CHILDREN'S SERVICES - CHILD CARE CENTRES

Funding Cuts - Closures

1460. Mr BROWN to the Minister for Family and Children's Services:

- (1) Has the Minister, or any department or agency, examined the implications for families on the Federal Government's cutbacks to child care?
- (2) Does the Government expect any reduction in standards as a result of the cutbacks?
- (3) Does the Government expect more informal child care arrangements to be used as a result of the cutbacks?
- (4) To what extent -
- (a) have;
- (b) will,
- the cutbacks affect community based and private child care centres?
- (5) Will a number of centres close as a result of the cutbacks?
- (6) Is it expected that a number of jobs will be lost as a result of the cutbacks?
- (7) If so, how many?

Mrs PARKER replied:

- (1) Yes.
- (2) No, all licensed services must maintain minimum standards as outlined in the Community Services (Child Care) Regulations 1988 as amended. Services are also required to participate in the Commonwealth Government's Quality Improvement and Accreditation Scheme.
- (3) No.
- (4) (a) The removal of operational subsidies occurs on 1 July 1997, as such the changes are yet to have an impact.
- (4) (b) The potential impacts of the removal of operational subsidies are likely to include improved efficiencies in the running of centres and possible increases in fees for parents.
- (5) Centres close for a variety of reasons and often as a result of a combination of factors. It is not possible therefore to conclude that the removal of operational subsidies will, of itself, cause centres to close.
- (6) There is currently a shortage of child care staff and as such any job losses are likely to be absorbed by the industry.
- (7) See (6).

FAMILY AND CHILDREN'S SERVICES - CHILD CARE CENTRES

Licences

1466. Mr BROWN to the Minister for Family and Children's Services:

- (1) Is the Minister aware of an article that appeared in the 29 May - 11 June 1997 edition of *Business News* concerning the child care industry which advocated a finite number of licences should be available for child care centres?
- (2) Does the Government intend to limit the number of licences that are issued for child care centres?
- (3) If so, when?
- (4) If not, why not?

Mrs PARKER replied:

- (1) Yes.
- (2) No.
- (3) Not applicable.
- (4) The Commonwealth National Planning Framework announced in the recent Federal Budget is designed to more effectively target Child care Assistance places to areas of undersupply without directly intervening in the development of the private sector. In order to be eligible for Child Care Assistance, it is envisaged that new operators will need to locate in areas where there is a deficit of places according to an established criteria. This will take effect from 1 January 1998.

FAMILY AND CHILDREN'S SERVICES - CHILD CARE CENTRES

Funding Cuts - Closures

1467. Mr BROWN to the Minister for Family and Children's Services:

- (1) Has the Government assessed the possibility of a number of community based child care centres closing down after the Federal Government removes its operational subsidy later this year?
- (2) How many community based child care centres are expected to close?
- (3) To what extent are children currently looked after in community based centres likely to be placed in private sector formal child care?
- (4) Does the Government know how many child care places will be made available by the Federal Government to Western Australia after 1 October 1997?
- (5) What were the total number of child care places funded by the Federal Government on 30 May 1997?
- (6) What will be the total number of places funded by the Federal Government after 1 October 1997?

Mrs PARKER replied:

- (1) Yes.
- (2) Centres close for a variety of reasons and often as a result of a combination of factors. It is not possible therefore to conclude that the removal of operational subsidies will, of itself, cause centres to close.
- (3) The choice of care rests with parents.
- (4) The 1992 - 1996 National Child Care Understanding made 940 long day care places available in community based child care centres in Western Australia, of these 853 places remain to be established.
- (5) Four thousand and nine child care places in community based long day care centres.
- (6) Four hundred child care places in community based long day care centres on 1 October 1997 will receive subsidies. The places will receive the Disadvantaged Area Subsidy from the Commonwealth Government.

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1471. Mr BROWN to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Deputy Premier's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mr COWAN replied:

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1474. Mr BROWN to the Minister for the Environment; Employment and Training:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Minister's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mrs EDWARDES replied:

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1475. Mr BROWN to the Minister for Family and Children's Services; Seniors; Women's Interests:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Minister's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?

- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mrs PARKER replied:

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1477. Mr BROWN to the Minister for Lands; Fair Trading; Parliamentary and Electoral Affairs:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Minister's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mr SHAVE replied:

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1479. Mr BROWN to the Minister for Local Government; Disability Services:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Minister's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mr OMODEI replied:

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1480. Mr BROWN to the Minister for Health:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Minister's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mr PRINCE replied:

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1482. Mr BROWN to the Minister for Works; Services; Multicultural and Ethnic Affairs; Youth:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Minister's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mr BOARD replied:

- (1)-(5) The information requested by the member for Morley is not currently stored centrally and would require considerable resources from each agency to compile. The Government already publishes periodic reports on the extent of contracting throughout the Western Australian public sector. The Government has agreed in principle to the implementation of the Commission on Government's recommendation 11 which involves establishing a mechanism for the public disclosure of purchasing and contract data. In the near future I intend taking to Cabinet a proposal which will meet these requirements through some form of electronic bulletin board. At this stage, if the member has a specific issue with a particular contract within my portfolio, I will endeavour to assist.

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1488. Mr BROWN to the Minister representing the Attorney General:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Attorney General's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mr PRINCE replied:

The Attorney General has provided the following reply:

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1489. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Minister's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1)-(5) See answer to question 1484.

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1490. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) In the month of April 1997, how much was paid to companies and individuals that have contracts (other than employment contracts) with each department and agency under the Minister's control?
- (2) What was the total number of payments made?
- (3) How much was paid to each company and individual?
- (4) What is the name of each company and individual that received a payment?
- (5) What was the purpose of the payment?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

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

GOVERNMENT INSTRUMENTALITIES - CONTRACTS

Payment Details

1491. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

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

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

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

- (1)-(5) See answer to question 1484.

COLLEGES OF TAFE - COURSES

Locations

1492. Mr KOBELKE to the Minister for Employment and Training:

- (1) What was the total number of course locations offered by Technical and Further Education Colleges for courses commencing in the first half of 1997?
- (2) What was the total number of prospective students who made application for TAFE courses across Western Australia commencing in the first half of 1997?
- (3) How many students were actually enrolled for courses which commenced in the first half of 1997?
- (4) How many actual course locations commenced operation in the first half of 1997?
- (5) What is the anticipated level of unmet need for student places in TAFE across Western Australia?
- (6) What is expected to be the availability of new places under the offer made recently by Federal Minister Kemp?
- (7) How many course locations were offered by TAFE across Western Australia for courses commencing in the second half of 1997?
- (8) How many students have made enrolment applications for these courses commencing in the second half of 1997?

Mrs EDWARDES replied:

- (1) 555.
- (2) 15,500.
- (3) 10,330.
- (4) 470.
- (5) 2,000 approximately.
- (6) The Commonwealth offer of future funding for vocational education and training has not yet been finalised and is still under discussion. It is still subject to the outcomes of the Review of the ANTA Agreement and future discussions between the Commonwealth and State/Territories.
- (7) 385.
- (8) 2,500.

CHARITIES - MONITORING

Administrative Costs

1499. Dr CONSTABLE to the Minister for Fair Trading:

- (1) Does the Department of Fair Trading or any other Government department or organisation, monitor charities to determine what percentage of each dollar donated to them is applied to administrative costs?
- (2) If yes to (1) above, is this information publicly available?
- (3) Does any department, person or organisation evaluate charities to determine their basic philosophy and the substance and efficacy of their programs?

- (4) If yes to (3) above, is this information publicly available?

Mr SHAVE replied:

- (1) The Charitable Collections Advisory Committee of the Ministry of Fair Trading is responsible for licensing organisations which collect money from the public for "charitable purposes" as defined in the Charitable Collections Act 1946. Licensed organisations are required to submit annual accounts to the ministry for examination. Charitable organisations which do not come under the operation of the Charitable Collections Act 1946 are not required to be registered with any government agency. Charitable organisations which receive grants from various State, Commonwealth and Local government agencies may be subject to specific scrutiny in relation to those grants. The Charitable Collections Advisory Committee considered what percentage of each dollar donated to a charitable organisation should apply to administrative costs. The Committee decided not to implement such a policy. As an alternative, in consultation with the Ministry, a Voluntary Code of Practice for Public Fundraising, including charities, was developed. Organisations which adopt this Code are required, when seeking funds, to state the objectives of the fundraising and identify how much of the funds raised will be used to meet the costs of fundraising. I have arranged for the ministry to forward a copy of the code to the member.
- (2) The Voluntary Code of Practice for Public Fundraising and information about which organisations have adopted it, is publicly available from the Ministry of Fair Trading. The annual returns of licensed charities are not normally made publicly available by the Ministry of Fair Trading but may be requested from the charity concerned.
- (3) All applications for a license under the Charitable Collections Act 1946 are subject to assessment by the Charitable Collections Advisory Committee to determine whether, in all the circumstances, a licence is warranted. The Committee may also recommend the cancellation of a licence where necessary. Most charitable organisations are subject to external audit of their operations. In addition, individual charitable organisations which receive funding from government agencies (State, Local or Commonwealth) may be subject to specific scrutiny or assessment.
- (4) Assessments of licensed organisations by the Ministry of Fair Trading are not made publicly available. The release of data obtained by other government agencies is a matter for those agencies.

GENDER REASSIGNMENT BILL - DELAY IN DEBATE

1506. Ms McHALE to the Minister representing the Attorney General:

- (1) When will the Gender Reassignment Bill (No. 2) 1997 be brought on for debate?
- (2) Why has there been a delay in debating this Bill?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1)-(2) The resumption of debate on the Bill and its passage through the Assembly is, as the member will appreciate, subject to the other parliamentary business, including the Government's legislative program. Therefore, at this stage, I cannot provide the member with any precise date or timetable for the passage of that Bill through the Legislative Assembly. I suggest the member take this matter up with the Leader of the House.

COMMERCE AND TRADE - DEPARTMENT

Market Research - Allocation

1511. Mr BROWN to the Minister for Commerce and Trade:

- (1) Further to yourthe Minister's answer to question on notice 903 of 1997 is the Department of Commerce and Trade able to provide an estimate of the amount allocated to -
 - (a) market research;
 - (b) customer research; and
 - (c) stakeholder research, in the 1997-1998 financial year?
- (2) If so, how much?

- (3) If not, given that the other departments and agencies under the Minister's control were able to provide details or estimates to question on notice 903 of 1997, why is this department unable to do so?

Mr COWAN replied:

- (1)-(2) The Department of Commerce and Trade is able to provide an estimate of costs of 'specific' occasions of market and customer research planned for 1997/98.
- (a) Market Research: An Export Impediments Survey conducted on behalf of the Trade Advisory Council will incur a final payment of approximately \$20, 000 in 1997/98.
 - (b) Customer Research: The department does an annual survey of its clients to gather data on the impact of the department's services on its clients' business results. It is estimated that the 1997/98 survey will cost in the region of \$34, 000.
 - (c) Stakeholder Research: The department has no specific plans in the area of Stakeholder Research for 1997/98. In a wider context, the department will undertake a number of activities during 1997/98 which will involve an element of discussion and communication with clients and stakeholders or of researching information on markets or products. However, these activities are integral to the day to day operational activities of the department and are not separately budgeted or costed as 'research'. The two activities above are the specific 'research' activities expected to occur in 1997/98.
- (3) Not applicable.

EMPLOYMENT AND TRAINING - COLLEGES

Staff

1519. Mr KOBELKE to the Minister for Employment and Training:

- (1) Who is the Managing Director for each of the autonomous colleges established under the Vocational Education Training Act 1996?
- (2) Who is the Chairperson for each of these college governing councils?
- (3) For each of these autonomous colleges, who currently comprise the membership of each college council?

Mrs EDWARDES replied:

- | | |
|--|--|
| <p>(1) Advanced Manufacturing Technologies Centre
Central Metropolitan College
North Metropolitan College
South Metropolitan College
South East Metropolitan College
Midland Regional College
C Y O'Connor College
South West Regional College
Geraldton Regional College
Great Southern Regional College
Kimberley College of TAFE
Hedland College
Karratha College
Pundulmurra College</p> | <p>Mr Michael Mullin (Acting)
Mr Brian Paterson
Ms Kath White
Mr Tony Tate
Mr Geof Gale
Mr Nic Gara
Mr Laurie Bonney
Mr Robert Smillie
Mr Wayne Collyer
Ms Lidia Rozlapa
Mr Ralph Clark
Mr Jim Thorpe
Dr Peter Smith
Mr Roger Thomas</p> |
|--|--|
- (2)-(3) College Councils are yet to be appointed to the following autonomous colleges. The Minister for Training, under the Vocational Education and Training Act, is the Interim Council.

Advanced Manufacturing Technologies Centre
Central Metropolitan College
North Metropolitan College
South Metropolitan College
South East Metropolitan College
Midland Regional College
C Y O'Connor College
South West Regional College
Geraldton Regional College
Great Southern Regional College
Kimberley College of TAFE

<p>Karratha College Members:</p>	<p>Mr David Smith (Chair) Ms Kate Castel Assoc. Professor W Cooper</p>
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Ms Rose Cunningham
 Mr Mark Godlonton
 Mr Lloyd Kapitzke
 Mr Peter Long
 Dr Ali Rahima
 Mr Trevor Ruland
 Dr Peter Smith
 Mr Terry Smith
 Mr William Swetman

Hedland College
 Members: Mr Russell Boylan (Chair)
 Ms Kerry Thom
 Mr John Jakobson
 Mr Geoff Beaton
 Mr Dominick Palumbo
 Ms Anita Grace
 Mr Hans Geers
 Mr Jim Thorpe
 Mr John Woolfrey
 Beryl Richardson
 Ms Helga Thomas
 Mr Ian Lowth
 Mr Robert Fry
 Ms Kylie Agale
 Ms Elaine Sharplin

Pundulmurra
 Members: Ms Jean Agale (A/Chair)
 Mr Leon van Erp
 Mr Ken Houghton
 Mr Trevor Solomon
 Ms Iris Prouse
 Mr Terry Whitby
 Mr Roger Thomas
 Mrs Elizabeth Smith

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - SAW MILLS

Closures

1521. Dr EDWARDS to the Minister for the Environment:

Since the formation of the Department of Conservation and Land Management in 1985 -

- (a) which saw mills have closed;
- (b) in what year did they close;
- (c) how many employees worked at each of them at the date of closure;
- (d) what was their sawlog quota (species, grade and volume) at the date of closure?

Mrs EDWARDES replied:

- (a)-(d) The Department of Conservation and Land Management has no requirement to maintain a register of sawmills or employees in sawmills. Contracts to supply sawlogs are contracts with companies, not with individual sawmills. This question therefore cannot be answered.

FORESTS AND FORESTRY - GIBLETT BLOCK

Compartments Seven and Eight

1522. Dr EDWARDS to the Minister for the Environment:

What were the Department of Conservation and Land Management's pre-logging estimates for all species and grades of logs to be extracted from the coupes in Giblett compartments 7 and 8 that were clear felled in 1994-95?

Mrs EDWARDES replied:

The following were estimates (for planning purposes before actual logging) of harvestable volume in parts of Giblett 7 and Giblett 8 coupes that were clear felled in 1994/95.

	Volume per hectare (estimate)(square metres)	Total volume (square metres)
Karri sawlog - first grade	129	10 000
Karri sawlog - second grade	16	1 250

Karri sawlog - third grade	10	780
Jarrah sawlog	11	860
Marri sawlog	11	860
Karri chiplog	32	2 500
Marri chiplog	49	3 800

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - PLATFORM CONSTRUCTION

Involvement

1524. Dr EDWARDS to the Minister for the Environment:

- (1) Did the Department of Conservation and Land Management have any involvement in the construction of a platform in a tree in Big Brook forest for the Forest Protection Society?
- (2) If yes -
 - (a) how many CALM officers were involved;
 - (b) how many employee-hours did it involve;
 - (c) what was the estimated cost to CALM for the employee-hours involved;
 - (d) who provided the materials used to construct the platform;
 - (e) was there a cost to CALM for material and, if yes, what was the cost?

Mrs EDWARDES replied:

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

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - TOUR

Forest Protection Society's Platform

1525. Dr EDWARDS to the Minister for the Environment:

- (1) Did the Department of Conservation and Land Management take any employees or contractors on a tour on Thursday, 5 June 1997?
- (2) If yes, how many -
 - (a) CALM officers;
 - (b) other employees;
 - (c) contractors, were involved?
- (3) Did this or any other tour include a visit to the Forest Protection Society's platform in Big Brook forest?

Mrs EDWARDES replied:

- (1) Yes.
- (2)
 - (a) Two.
 - (b) Nil.
 - (c) Nil (three Commonwealth public servants).
- (3) No.

FORESTS AND FORESTRY - TIMBER VOLUME

Big Brook and Treen Brook Blocks

1526. Dr EDWARDS to the Minister for the Environment:

- (1) What is the estimated volume of -
 - (a) first grade karri sawlogs;
 - (b) second grade karri sawlogs;
 - (c) karri chiplogs;
 - (d) first grade jarrah sawlogs;
 - (e) second grade jarrah sawlogs;
 - (f) marri sawlogs;
 - (g) marri chiplogs;

- (h) other sawlogs (please specify) in -
 - (i) Big Brook forest block;
 - (ii) Treen Brook forest block?
- (2) Under the Department of Conservation and Land Management's current forest management plans, when is it proposed to begin logging in -
- (a) Big Brook forest block;
 - (b) Treen Brook forest block?
- (3) Would the Minister provide maps showing the logging history of -
- (a) Big Brook forest block;
 - (b) Treen Brook forest block?

Mrs EDWARDES replied:

- (1) The estimated current standing volumes in areas in which harvesting is permitted under the Forest Management Plan 1994-2003 are shown below. The Forest Management Plan defines the sustainable level of harvest and structural goals for the entire karri forest. The volumes shown are scheduled to become available during the next 50 years in accordance with the silvicultural practices and rotation lengths identified in the Plan to meet the sustained yield and structural goals.
- | | (i) | (ii) |
|---------|----------------------|----------------------|
| (a)-(b) | 235 000 cubic metres | 364 000 cubic metres |
| (c) | 134 000 cubic metres | 208 000 cubic metres |
| (d)-(e) | 8 000 cubic metres | 4 000 cubic metres |
| (f) | 7 000 cubic metres | 6 000 cubic metres |
| (g) | 62 000 cubic metres | 59 000 cubic metres |
| (h) | 20 000 cubic metres | 32 000 cubic metres |

Category (h) logs comprise branchwood and wood derived from dead trees.

- (2) (a)-(b) Logging has been on-going in these forest blocks since the late 1920's involving either thinning or clear felling and subsequent regeneration of patches. Under current management plans these activities will continue to be on-going.
- (3) See paper No 499.

HERITAGE - VEHICLES

Fremantle Prison - Safe Keeping

1540. Mr PENDAL to the Minister for Works:

- (1) Is it correct that a series of heritage carts and coaches, including an old hearse, are sitting in the open at Fremantle Prison?
- (2) Did these vehicles originate from the Old Mill at South Perth?
- (3) If so, is the Minister aware that these heritage vehicles were under cover while at the Old Mill?
- (4) Why are they not under cover at Fremantle Prison?
- (5) Who owns the vehicles?
- (6) Who is currently responsible for their safe-keeping?
- (7) If they are being housed inappropriately, or in a way that will adversely affect them, will the Minister take immediate action to ensure they are properly housed?

Mr BOARD replied:

- (1) No, one cart is stored without cover and three are stored under cover.
- (2)-(7) The National Trust approached the Fremantle Prison and asked if special consideration be given so that the vehicles could be stored at the site. The Prison offered their current location as an option and the National Trust accepted the offer knowing that some of the vehicles may be exposed. The situation is being reconsidered due to recent discussions regarding insurance risk at the precinct: so it may only be a matter of time before they are removed.

POLICE - DRUGS

Overdoses - Attendances

1545. Ms ANWYL to the Minister for Police:

- (1) How many police attendances have been recorded for the individual months of January to June 1997 where the primary cause of complaint or incident report related to a drug overdose or suspected drug overdose?
- (2) What are the sources of the complaints or incident reports?

Mr DAY replied:

The Commissioner of Police has provided the following advice -

- (1) Drug overdoses are not generally reported to police unless a death has occurred. Police officers have attended the following drug related deaths from January 1997 to June 23, 1997-

Month 1997	No of Attendances
January	6
February	10
March	13
April	15
May	6
June	11

- (2) In the majority of cases, St John Ambulance officers are the source of information.

FAIR TRADING - BZ AUTOS

Complaints

1547. Mr KOBELKE to the Minister for Fair Trading:

- (1) How many complaints have been received against BZ Autos of 359b Oxford Street, Leederville since 1 January 1996?
- (2) How many inspections have taken place of vehicles held by BZ Autos due to complaints being lodged by customers?
- (3) Were all such inspections made by the same officer?

Mr SHAVE replied:

- (1)-(2) One.
- (3) Yes.

POLICE - DUMAS HOUSE

Number of Officers

1548. Mr KOBELKE to the Minister for Police:

- (1) During what periods since 1993 have police officers been using office accommodation in Dumas House in West Perth?
- (2) Over this period what has been the maximum number of police officers at any one time working from office accommodation in Dumas House?
- (3) Over what specific period was this number of officers located in and working from Dumas House?
- (4) Were all of these officers working with or assisting in some way the Building and Construction Industry Taskforce?
- (5) How many police officers are currently working with or assisting the Building and Construction Industry Taskforce?
- (6) Where are these officers currently based?

Mr DAY replied:

The Commissioner for Police has provided the following response:

- (1) The Major Fraud Squad utilised office accommodation at Dumas House between May 1996 and January 1997.
- (2) 5.
- (3) Refer (1).
- (4) Whilst Major Fraud Squad detectives were working from Dumas House they concentrated solely on the investigation into a complaint by Fletcher Construction Australia Limited and the activities of some union officials. Although they did not perform any duties with members of the Building and Construction Industry Task Force there was liaison and interaction between both parties in relation to the Fletcher Construction Australia Limited investigation.
- (5) Nil.
- (6) Not applicable.

GOVERNMENT INSTRUMENTALITIES - EMPLOYEES

Number and Conditions of Employment

1554. Mr KOBELKE to the Minister for Family and Children's Services; Seniors; Women's Interests:

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

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

Mrs PARKER replied:

- (a) Family and Children's Services: 1387.
Office of Seniors Interests: 24.
Women's Policy Development Office: 22.
- (b) Family and Children's Services: Nil.
Office of Seniors Interests: Nil.
Women's Policy Development Office: Nil.
- (c) Family and Children's Services: 1386.
Office of Seniors Interests: 24.
Women's Policy Development Office: 22.
- (d) Family and Children's Services: 1386.
Office of Seniors Interests: 24.
Women's Policy Development Office: 22.
- (e) Family and Children's Services: 1.
Office of Seniors Interests: Nil.
Women's Policy Development Office: Nil.

GOVERNMENT INSTRUMENTALITIES - EMPLOYEES

Number and Conditions of Employment

1556. Mr KOBELKE to the Minister for Lands; Fair Trading; Parliamentary and Electoral Affairs:

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

- (a) the total number of employees;
- (b) the number of these employees who were employed on a workplace agreement;

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

Mr SHAVE replied:

DOLA

- (a) 735
- (b) 634
- (c) 101
- (d) None
- (e) 1 under Salaries and Allowances Tribunal

LandCorp

- (a) 45
- (b) 26
- (c) 18
- (d) None
- (e) 1 under Salaries and Allowances Tribunal

Ministry of Fair Trading

- (a) 233
- (b) None
- (c) 233
- (d) 233. The Ministry's Enterprise Bargaining Agreement exists in addition to the provisions of the Public Service Award 1992. Where the Agreement is silent the Award prevails.
- (e) 1 under Salaries and Allowances Tribunal

Western Australian Electoral Commission

- (a) 46 as at 12 June 1997.
- (b) None.
- (c) 36
- (d) None
- (e) 1 under Salaries and Allowances Tribunal. 9 casual staff

GOVERNMENT INSTRUMENTALITIES - EMPLOYEES

Number and Conditions of Employment

1564. Mr KOBELKE to the Minister for Police; Emergency Services:

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

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

Mr DAY replied:

Western Australia Police Service

- (a) 6746
- (b) 12
- (c) 6069
- (d) 144
- (e) 20 wages staff; 501 crossing guards

Bush Fires Board

- (a) 49
- (b) Nil.
- (c) 49
- (d)-(e) Nil.

Fire & Rescue

- (a) 977

- (b) 91
- (c) 19
- (d) 862
- (e) 5

State Emergency Services

- (a) 43
- (b) Nil.
- (c) 43
- (d)-(e) Nil.

GOVERNMENT INSTRUMENTALITIES - EMPLOYEES

Number and Conditions of Employment

1565. Mr KOBELKE to the Minister representing the Minister for the Arts:

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

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

Mrs EDWARDES replied:

The Minister for the Arts has provided the following reply -

- (a)-(e) This question is a multiplication with variations on the same point which will require considerable expenditure in research. I do not believe any further answer to this is justified.

GOVERNMENT INSTRUMENTALITIES - EMPLOYEES

Number and Conditions of Employment

1567. Mr KOBELKE to the Minister representing the Attorney General:

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

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

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (a)-(e) This question is a multiplication with variations on the same point which will require considerable expenditure in research. I do not believe any further answer to this is justified.

GOVERNMENT INSTRUMENTALITIES - EMPLOYEES

Number and Conditions of Employment

1569. Mr KOBELKE to the Parliamentary Secretary to the Minister for Justice:

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

- (a) the total number of employees;

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

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (a)-(e) This question is a multiplication with variations on the same point which will require considerable expenditure in research. I do not believe any further answer to this is justified.

GOVERNMENT INSTRUMENTALITIES - EMPLOYEES

Number and Conditions of Employment

1570. Mr KOBELKE to the Parliamentary Secretary to the Minister for Sport and Recreation:

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

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

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

	Ministry of Sport and Recreation	Recreation Camps & Reserves Board	WA Institute of Sport	WA Sports Centre Trust
(a)	100	35	47 f/time 15 casual	100 permanent 124 casual (average)
(b)	0	10 f/time	Nil	Nil
(c)	74 f/time 23 p/time	3 f/time	Nil	100 permanent 120 casual (average)
(d)	2 f/time	5 f/time 17 p/time	Nil	Nil
(e)	1 f/time	0	All at Common Law only	4 award free casual

POLLUTION - CSBP KWINANA

Prosecution

1581. Dr EDWARDS to the Minister for the Environment:

- (1) During the recent preparations for the prosecution of CSBP for exceeding air quality guidelines, were any other prosecutions for pollution offences abandoned due to a lack of resources?
- (2) If yes, how many?
- (3) If so, will the Minister be providing additional resources to the department?
- (3) If not, why not?

Mrs EDWARDES replied:

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

ENVIRONMENT - WOOD STOVES

Misuse - Penalties

1586. Mr McGOWAN to the Minister for the Environment:

- (1) Are there any penalties in place regarding misuse of home wood heaters?
- (2) Does the Government have any plans to institute any penalties, or further penalties, in relation to wood heaters?
- (3) If not, why not?
- (4) Are there any legislative restrictions in place in regard to burning green wood?
- (5) Does the Government have any plans to impose any restrictions?
- (6) If not, why not?

Mrs EDWARDES replied:

- (1) There are no specific penalties in place for the misuse of home woodheaters.
- (2) I propose to implement regulations which will make it an offence to sell woodheaters not conforming to Australian Standard 4013.
- (3) Not applicable.
- (4) There are currently no specific legislative restrictions in place in relation to burning green wood.
- (5) I propose to implement regulations which will make it an offence to sell wood for fuel which has a moisture content greater than 25%.
- (6) Not applicable.

LAND - PASTORAL LANDS BOARD

Chairperson

1594. Mr McGOWAN to the Minister for Lands:

- (1) Who is the Chairperson of the Pastoral Board under the Land Act 1933?
- (2) When does this person's term expire?
- (3) Has this position been offered to anyone else once the current incumbent leaves the position?
- (4) What remuneration does the position receive?
- (5) Has this position or the future position of Chairperson of the Pastoral Lands Board been offered to Hon. Phil Lockyer?

Mr SHAVE replied:

- (1) Mr L M Kelly
- (2) 30 June 1999
- (3) No
- (4) \$47.00 per hour to a maximum of 14 hours per week.
- (5) No, however Hon Phil Lockyer's knowledge and understanding of the pastoral industry would certainly qualify him for this role.

POLICE - LICENSED PREMISES

Reports

1596. Ms WARNOCK to the Minister for Police:

How many police reports in licensed premises in the metropolitan area have there been for serving alcohol to -

- (a) intoxicated;

(b) underage customers,
during the past 12 months?

Mr DAY replied:

- (a) Section 115 (1) - licensee/employee/agent permit drunkenness
Summary action report Warning
6 1

Section 115 (2) - any person on licensed premises who sell/supply, allow consumption, obtain or aid drunken person to consume liquor

Summary action report
1

- (b) Section 121 (1) - licensee/employee/agent sell/supply liquor to juvenile

Summary action report Warning
20 3

Section 121 (2) - licensee/employee/agent permit consumption by juvenile

Summary action report
4

Section 121 (4) - licensee/employee/agent permit juvenile to remain on licensed premises

Summary action report Warning
36 2

ENVIRONMENT - DEPARTMENT OF ENVIRONMENTAL PROTECTION

Techni-Lube - Testing

1618. Mr PENDAL to the Minister for the Environment:

- (1) Are the Environmental Protection Authority (EPA) and the Department of the Environment (DEP) aware of an American fuel additive called Techni-Lube which is now available in Western Australia and which has marked impact on lowering all harmful vehicle emissions, principally by preventing the expulsion of combined sulphur and other elements?
- (2) Are the agencies aware of test results conducted by independent environmental authorities in California in which -
 - (a) fuel economy was increased by 4.07 per cent;
 - (b) particulate matter was decreased by 44 per cent;
 - (c) carbon monoxide was decreased by 19.9 per cent;
 - (d) carbon dioxide was decreased by 4 per cent;
 - (e) hydrocarbons were decreased by 13 per cent;
 - (f) oxides of nitrogen were decreased by 7.4 per cent, as a result of the use of this product?
- (3) Is the Minister aware of an approach to the EPA in early June by promoters of Techni-Lube in Perth who were told that the State Government was unable to respond to the product because it had no means of testing it in Perth?
- (4) Will the Minister order urgent studies into the benefits of adding this product to fuel in Western Australia by -
 - (a) assigning an officer to review the technical material available;
 - (b) arranging for suitable testing equipment to be brought to the State on loan?
- (5) If no to (4) above, why not?
- (6) Has the State at any time received any approaches from petroleum producers to ensure that this product is not subjected to scientific testing?

- (7) If yes to (6) above, can the Minister give details?

Mrs EDWARDES replied:

- (1) I am advised that neither the Environmental Protection Authority nor the Department of Environmental Protection are familiar with this product.
- (2) The Environmental Protection Authority and the Department of Environmental Protection have advised that they are not aware of these results.
- (3) I am not aware of such an approach to the EPA or the DEP, however there are no State Government vehicle emissions testing facilities in Perth suitable for assessing the benefits of a fuel additive. Commercial testing facilities are available in Perth at the Orbital Engine Company's facility in Balcatta. Other vehicle emissions testing facilities exist in NSW and Victoria.
- (4) The onus is on the promoters of products such as Techni-Lube to demonstrate the benefits of its product. I am sure that relevant State Government departments will be happy to review the documented results of independent testing of the product provided by the promoters.
- (5) See answer to (4).
- (6) I am not aware of any approaches to the State Government from petroleum producers to restrict scientific testing of this product.
- (7) Not applicable.

PLANNING - METROPOLITAN REGION SCHEME AMENDMENT NO 987/33

Disallowance

1619. Mr PENDAL to the Minister for Planning:

- (1) I refer to the Government's intention to sponsor the Metropolitan Region Scheme Amendment No 987/33 North West Districts Omnibus No 3 and ask, when is this to be tabled in the Parliament?
- (2) Is it subject to disallowance?

Mr KIERATH replied:

- (1) It is anticipated that the Metropolitan Region Scheme Amendment No 987/33 North West Districts Omnibus No 3 will be tabled in Parliament during the 1998 Autumn session in mid March 1998.
- (2) Yes.

CUSTOM CREDIT LEGAL SERVICE (WA) INC - FUNDING

1622. Dr CONSTABLE to the Minister for Fair Trading:

- (1) With respect to the Consumer Credit Legal Service (WA) Inc, what funding has the service received in each of the last three years?
- (2) What was the source of that funding in each of those years?
- (3) Will funding of the service be continued for the 1997-98 financial year and beyond?

Mr SHAVE replied:

- (1)-(2) The Consumer Credit Legal Service (CCLS) was established in 1991 with a grant from the then Ministry of Consumer Affairs. This funding ceased in 1993. From 1993 until the present time, the CCLS has had access to monies from various civil penalty funds and annual Commonwealth funding of \$45,000.
- (3) The civil penalty monies which previously funded the CCLS's operations are now exhausted and its only recurrent income at present is the \$45,000 annual Commonwealth grant. The CCLS has approached the State Government and indicated that it will require recurrent funding from another source if it is to continue to operate. The Government is committed to providing appropriate services to consumers of credit in Western Australia and is currently exploring funding options for the CCLS in discussions with CCLS representatives. The feasibility of other agencies delivering these services will be considered if agreement cannot be reached with the CCLS on the level of service it should provide in the future and the funding requirements.

HOSPITALS - CARDIAC SERVICES UNITS

Report

1623. Dr CONSTABLE to the Minister for Health:

- (1) In, or about, early 1993 did the Government receive a report prepared by the Health Department of Western Australia on the need for a fourth cardiac surgical unit in Perth?
- (2) If so -
 - (a) what conclusions were reached in the report; and
 - (b) what was the response of the then Minister for Health to the report?

Mr PRINCE replied:

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

HOSPITALS - CARDIAC SERVICES UNITS

Review

1624. Dr CONSTABLE to the Minister for Health:

- (1) In, or about, the end of 1994 was a consultant cardiac surgeon contracted to conduct a review of, among other things, whether a cardiac unit should be established at Fremantle Hospital?
- (2) If yes to (1) above -
 - (a) who was the consultant;
 - (b) was the review conducted;
 - (c) what conclusions were reached;
 - (d) when was the review conducted;
 - (e) how much did the review cost; and
 - (f) is the review publicly available?
- (3) If the review did not proceed, why not?

Mr PRINCE replied:

- (1) Yes. A review was proposed by the Board of Fremantle Hospital to advise on the relative priority of a cardiac unit and of the new service proposals for the hospital.
- (2)
 - (a) Mr Tony Wilson, Consultant Cardiothoracic Surgeon, St Vincent's Hospital, Victoria.
 - (b) The review was cancelled prior to its scheduled commencement.
 - (c)-(d) Not applicable.
 - (e) Compensation for loss of income (approximately \$12,000) because of cancellation of clinical workload was paid to the Consultant by Health Department of Western Australia.
 - (f) Not applicable.
- (3) The review did not proceed because the Fremantle Hospital Board no longer considered it necessary.

HOSPITALS - CARDIAC SERVICES UNITS

Review

1625. Dr CONSTABLE to the Minister for Health:

- (1) Has any review been conducted at any time on the issue of whether a fourth cardiac unit was required in Perth and, if so -
 - (a) who conducted the review;
 - (b) what conclusions were reached;
 - (c) when was the review conducted;
 - (d) what did the review cost; and
 - (e) is the report of the review publicly available?
- (2) If no to (1) above -

- (a) why not; and
- (b) on what basis did the Government decide to establish the cardiac unit at Fremantle Hospital?

Mr PRINCE replied:

- (1) Yes.
 - (a) Professor J Hickie, Professor D Baird and Dr B Keaney.
 - (b) * Increased Cardiothoracic surgical services would be required in the future for Western Australians.
 - * Royal Perth Hospital should be encouraged to increase annual cases and the Cardiothoracic Surgeons should undertake a review of their organisation to improve their productivity and services to patients.
 - * Planning should occur immediately for the establishment of a second Cardiothoracic Unit at Sir Charles Gairdner Hospital.
 - * Some advantages were acknowledged by providing services at Fremantle Hospital.
 - (c) 1992.
 - (d) \$27,000 plus additional allowances including meals and travel.
 - (e) Yes.
- (2) Not applicable.

ASSOCIATIONS INCORPORATION ACT - SECTION 24(1)

Resolution

1632. Mr BLOFFWITCH to the Minister for Fair Trading:

Can the Minister explain in detail how a resolution is passed under section 24(1) of the Associations Incorporation Act 1987 and in particular the three-fourths majority requirement?

Mr SHAVE replied:

A Special Resolution is passed under section 24(1) of the Associations Incorporation Act 1987, if it is passed by not less than three quarters of the members present and voting at the meeting. If proxy or postal votes are allowed by the rules of the Association the members need not be present to record their votes. Any properly tendered proxy or postal vote will count towards the percentage of members who are voting at the meeting. The Act does not require that a special resolution be passed by not less than three quarters of the total membership of the Association.

POLICE - CRIMINAL RECORDS

Retention

1634. Mr BROWN to the Minister for Police:

- (1) In the absence of any application under the Spent Convictions Act 1988, how long do the police retain criminal records?
- (2) Do the police have criminal records dating back 30 years?
- (3) Is there a set procedure for removing criminal records from the file?
- (4) If so, what is that procedure?
- (5) Is any discretion given to any person or officer to remove criminal records?
- (6) Is it possible for the police to ascertain if a person has a criminal record if that criminal record dates back 20 to 30 years?
- (7) Are criminal records removed or discarded at the request of the person who has the criminal record?
- (8) Are criminal records removed or discarded at the request of any other person?
- (9) If so, what person has this authority?

Mr DAY replied:

- (1) All records are retained indefinitely.
- (2) Yes.
- (3) No.
- (4) Not applicable.
- (5) No.
- (6) Yes.
- (7) No. The only exception is where a person has been found not guilty of an offence. Police are authorised under section 50AA(2) of the Police Act to destroy all record of identification of that person for that particular offence. If it is the only offence, the whole record is destroyed.
- (8) Yes.
- (9) A solicitor acting on behalf of a person as in (7) above.

YOUTH FORUM - GERALDTON

1637. Mr BROWN to the Minister for Youth:

- (1) Did the Minister issue a media statement on 4 June 1997 concerning the inaugural Youth Forum in Geraldton?
- (2) Was the Youth Forum held at the Geraldton Civic Centre between 1.00 pm and 3.00 pm?
- (3) Did a number of high school students attend the forum?
- (4) Was the forum held in school time?
- (5) Did the students who attended the forum obtain leave from the school/Education Department to attend the forum?
- (6) If not, what arrangements were made for the students to attend the forum?

Mr BOARD replied:

- (1) Yes.
- (2) The Youth Forum was held at the Geraldton Civic Centre between 1.30 pm and 3.00 pm.
- (3) Yes. 19 high school students attended the Youth Forum.
- (4) Yes.
- (5) Students were accompanied by teachers from Geraldton Secondary College and Nagle Catholic College.
- (6) Not applicable.

PRISONS - PRIVATISATION

Consultants - Investigation

1638. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) Further to question on notice 187 of 1997, has the Government engaged one or more private consultants to investigate the feasibility of -
 - (a) establishing private prisons; or
 - (b) allocating work now performed by Government employees in prisons to the private sector?
- (2) How many consultants have been engaged?
- (3) What is the name of each consultant?
- (4) What brief was given to each consultant?
- (5) Have any of the consultants provided a report?

- (6) What is the nature of the report/s provided?
- (7) Did the report make any recommendations?
- (8) What were the recommendations?
- (9) Did any of the reports examine existing -
 - (a) security arrangements;
 - (b) prison facilities;
 - (c) prison operations;
 - (d) prison management?
- (10) Did any of the reports examine the degree to which the prison system is overcrowded?
- (11) If so, what were the findings of that aspect of the report?
- (12) Did any of the reports examine risk factors such as the likelihood of -
 - (a) escapes;
 - (b) breaches of security arrangements;
 - (c) major disturbances?
- (13) Did any of the reports draw conclusions on these matters?
- (14) What conclusions were drawn?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1) (a)-(b) Yes.
- (2) One consultant agency.
- (3) Australasian Correctional Services.
- (4) Confirmation of the Ministry's prison population projection. The consultant was also required to examine: the optimal use of/ or retirement of present bed stock; expansion of the bed capacity of existing prisons; the construction of a new prison or prisons; involvement of the private sector; and the benefits and feasibility of competition between the public and private sector providers.
- (5) Yes.
- (6) Feasibility study of future prison requirements.
- (7) Yes.
- (8) As Cabinet is yet to consider the report and its recommendations no details are available at this time.
- (9) (a)-(d) Yes.
- (10) Yes.
- (11) See (8).
- (12) (a)-(c) Yes.
- (13) Yes.
- (14) See (8) above.

PRISONS - OVERCROWDING

Government's Assessment

1639. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) How many prisoners in maximum and medium security facilities in Western Australia are accommodated in double bunk cells?
- (2) Is the prison system overcrowded?

- (3) Is the prison system overcrowded to such a point that the situation is now critical?
- (4) If not, on what basis is the assessment made that the prison system is not -
 - (a) overcrowded; or
 - (b) overcrowded to the point where the situation is critical?
- (5) Is that assessment based on professional opinion?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) As at 30 June 1997 there were 280 prisoners sharing 140 double bunk cells (excludes multiple bed cells of over 2 beds).
- (2)-(3) The prisoner population is within agreed muster levels.
- (4) The prison system is currently operating beyond the ideal population of one prisoner per cell with a prison muster of 85 to 90 per cent of standard bed capacity. While operating beyond the ideal, the prison system is not considered overcrowded.
- (5) Yes.

MINISTRY OF JUSTICE - HUMAN RESOURCES DIRECTORATE

Grievances

1640. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) Further to question on notice 815 of 1997, what was the reason for the three individuals being counselled?
- (2) What was the nature of the counselling provided?
- (3) Has the matter/s that gave rise to the counselling been resolved?
- (4) Are any of the matters that gave rise to the counselling still being investigated?
- (5) Are any other issues or grievances relating to the three counselled officers outstanding?
- (6) How are those matters being dealt with?
- (7) Is an independent person being appointed to investigate those matters?
- (8) Are all inquiries and investigations now being undertaken in accordance with the Public Sector Management Act 1994 and the various codes of practice and ethics established under that Act?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) To assist in the development of their management style.
- (2) Meeting with their relevant senior managers/executives and human resource advisers.
- (3) Not in all cases.
- (4) No.
- (5) Yes.
- (6)-(7) The Office of the Public Sector Standards Commissioner is reviewing the relevant files.
- (8) Yes.

PRISONS - SECTION 9 INQUIRIES

Ministry of Justice - Review

1641. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice 510 of 1997, has a review of the manner in which inquiries are conducted under section 9 of the Prisons Act 1981 been completed?
- (2) Did the Minister commission one or more people to carry out the review?

- (3) Who was commissioned to carry out the review?
- (4) Has the review made one or more findings or recommendations?
- (5) Will the review be tabled in Parliament?
- (6) If not, why not?
- (7) If so, when?
- (8) Has the Minister, or the review, inquired into the conflicting observations made by the courts?
- (9) If so, have any conclusions been drawn?
- (10) What are those conclusions?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (1)-(10) The entire Prisons Act is currently being reviewed by the Ministry of Justice with the aim of developing a new prisons Bill.

MINISTRY OF JUSTICE - REVIEW

Project Team - Members

1642. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) Further to question on notice 517 of 1997, who are the members of the project team?
- (2) Has the project team provided any interim, or other reports, on the non-core police/justice functions?
- (3) What are the nature of the reports provided?
- (4) Has the project team, or members of it, examined this matter in other States?
- (5) Have any of the project team made interstate visits for this purpose?
- (6) What interstate visits were made?
- (7) When were they made?
- (8) Who participated in each visit?
- (9) Between what dates did each visit occur?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1) Dr Denzil McCotter, Miss Laurene Dempsey, Mr Colin MacPhail, Mr John Fletcher, Mr Gary Casey, Ms Lisa Fanciulli, Inspector Ken Watkins and Mrs Sharon Powell.
- (2) Yes.
- (3) Benchmarking, research and model development papers.
- (4)-(5) Yes.
- (6)-(9) (i) New South Wales, Victoria and South Australia - October 13-18, 1996. Dr McCotter, Mr Casey and Assistant Commissioner Kucera visited NSW Police Service, NSW Corrective Services, Victoria Police Service, Victoria Corrective Services, SA Police Service and Coopers and Lybrand.
- (ii) South Australia - April 1-4, 1997. Dr McCotter, Mr Casey and Mr MacPhail visited SA Police Service, SA Department of Corrective Services, SA Courts Administration Authority and SA Family and Community Services, Group 4.
- (iii) Victoria - June 16-17, 1997. Dr McCotter and Miss Dempsey attended an Australian Institute of Criminology Conference - Privatisation and Public Policy: A Correctional Case Study.

HEALTH - ARSENIC INGESTION AND ABSORPTION

Children and Adults

1646. Dr EDWARDS to the Minister for Health:

- (1) What are the symptoms of ongoing low levels of arsenic ingestion and absorption for -
 - (a) children;
 - (b) adults?
- (2) What are the considered long term effects of ongoing low levels of arsenic ingestion and absorption for -
 - (a) children;
 - (b) adults?

Mr PRINCE replied:

- (1) Symptoms of chronic intoxication by arsenic are described briefly in the Lange clinical manual 'Poisoning and Drug Overdose' (1994) as -

" . . . multisystemic effects, which may include fatigue and malaise, gastroenteritis, leukopenia and anemia (occasionally megaloblastic), sensorimotor peripheral neuropathy, hepatic transaminase elevation, noncirrhotic portal hypertension, and peripheral vascular insufficiency. In addition, skin disorders and cancer may occur." (page 88).

No distinction is made between symptoms in adults and children. A more complete list of symptoms may be found in Martindales Extra Pharmacopoeia, 29th edition, page 1544.

- (2) Long term effects of chronic arsenic intoxication are given in the Lange clinical manual as -
 - 1 Skin lesions take years to manifest (3-7 years for a characteristic pattern of hypo- and hyperpigmentation and hyperkeratoses; up to 40 years for skin cancer) and may occur after lower doses than those causing neuropathy or anemia.
 - 2 Cancer. Chronic inhalation is associated with lung cancer. Chronic ingestion may also increase the risk of lung, liver, kidney, and bladder cancer." (page 88).

As always, whether or not these symptoms and effects manifest depends on the dose.

RACING - WA GREYHOUND RACING ASSOCIATION

Staff

1648. Ms WARNOCK to the Minister representing the Minister for Racing and Gaming:

- (1) In the Minister's reply to question on notice 1182 of 1997, he stated that there were 35 staff employed in administration by the Western Australian Greyhound Racing Association, will the Minister identify those positions?
- (2) How many administration position were there under the previous administration?
- (3) What were those positions?

Mr COWAN replied:

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

- (1) The 35 administration positions of the WA Greyhound Racing Association are -

General Manager
 Personal Assistant to General Manager
 Financial Controller
 Analyst Programmer
 Payroll Clerk
 Accounts Clerk
 Finance/Administration Officer
 Bookkeeper Part-time
 Manager Operations
 Racing Officer/Grader
 Racing Co-ordination Northam

Racing Registration Secretary
 Racing Registration Secretary
 Receptionist
 Telephonist/Racebook Co-ordinator
 Mandurah Manager
 Office Assistant - Mandurah
 Junior Office Assistant Part-time - Mandurah
 Marketing Manager
 Marketing and Public Relations Officer
 Marketing Executive
 Marketing Assistant
 Food and Beverage Executive
 Assistant Food and Beverage Executive
 Restaurant Sales Executive
 Restaurant Co-ordinator
 Function and Restaurant Co-ordinator Mandurah
 Manager Technical Services
 Technician
 Assistant Manager Technical Services/Printer
 Printer Part-time
 Manager Industry Development and Communication
 Chief Steward
 Registration and Racing Steward
 Stipendiary Steward

(2) As at 27.8.1992 - 24 administration positions.

(3) General Manager
 Personal Assistant to General Manager
 Financial Controller
 Analyst Programmer
 Payroll Clerk
 Accounts Clerk
 Assistant Accountant
 Administration Officer
 Racing Manager/Grader
 Racing Secretary
 Racing Secretary
 Manager Mandurah
 Marketing Officer - Mandurah
 Office Assistant - Mandurah
 Marketing Manager
 Marketing Officer
 Marketing Officer
 Marketing Officer
 Catering Manager
 Tote Manager
 Technician Part-time
 Printer
 Chief Steward
 Stipendiary Steward

RACING - WA GREYHOUND RACING ASSOCIATION

Eastern States Travel

1649. Ms WARNOCK to the Minister representing the Minister for Racing and Gaming:

- (1) What are the costs of all airfares and accommodation for travel to the Eastern States by committee members and staff (including spouses/partners) of the Western Australian Greyhound Racing Association since the appointment of Mr Ken Norquay as General Manager?
- (2) What are the same costs for the three years before his appointment?

Mr COWAN replied:

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

- | | | |
|-----|----------------------------|----------|
| (1) | March 1993 - to date | \$77,374 |
| (2) | March 1990 - February 1993 | \$26,451 |

RACING - CANNINGTON AND MANDURAH

Oncourse Tote Figures

1650. Ms WARNOCK to the Minister representing the Minister for Racing and Gaming:

- (1) What are the on-course tote figures for both Cannington and Mandurah for the last 12 months (1996-97)?
- (2) On which occasions during this period were there no bookmakers fielding at the meetings?

Mr COWAN replied:

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

- (1) On-course tote turnover figures from May 1996 - May 1997

	Cannington	Mandurah
	\$	\$
May	447,178	217,392
June	480,679	169,327
July	420,796	212,465
August	491,257	227,164
September	372,886	189,911
October	535,485	178,883
November	499,106	211,829
December	485,057	196,320
January	456,005	205,302
February	401,431	158,918
March	438,787	157,684
April	400,036	128,579
May	439,533	117,005
	5,421,058	2,153,387

- (2) Cannington: - One occasion (special Sunday meeting 23 March 1997)

Mandurah (May 1996 to May 1997)

1996	
July 3, 8, 17	3 meets
August 14, 28	2 meets
September 11	1 meet
October 18, 21, 25, 28, 29	5 meets
November 1, 4, 8, 11, 12, 15, 18, 22, 25, 26, 29	11 meets
December 2, 3, 6, 9, 13, 16, 20, 23, 27, 30	10 meets
1997	
January 3, 6, 7, 10, 13, 14, 17, 20, 21, 24, 27, 28, 31	13 meets
February 3, 4, 7, 10, 11, 14, 17, 18, 21, 24	10 meets
March 3, 4, 10, 17, 18, 24	6 meets
April 1, 4, 7, 11, 14, 18, 21, 28	8 meets
May 5, 12, 16, 19, 23, 26, 30	7 meets
Meetings without bookmakers	<u>76</u>

PRISONS - DRUGS

Use by Prisoners

1651. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:

- (1) How many drug offences have been reported in Western Australian prisons in the past 12 months?
- (2) How many of those offences involved the possession or use of heroin?
- (3) How many prisoners have been charged with drug offences in the past 12 months?
- (4) How many prisoners have overdosed on drugs in the past 12 months?
- (5) How many prisoners have undergone tests for drugs in the past 12 months and how many have tested positive?
- (6) Are all prisoners found to be in possession of drugs charged under the Misuse of Drugs Act 1981?
- (7) If not, why not?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1) 654
- (2) 168
- (3) 654
- (4) 6
- (5) 4,266 - tested; 754 - tested positive.
- (6) No. All prisoner drug related offences are dealt with under the provisions of section 70(d) or (e) Prisons Act 1981.
- (7) Sections 70(d) and (e) of the Prisons Act 1981 adequately cover the offence of use and/or possession of unlawful drugs in prisons.

EDUCATION - DEPARTMENT OF EDUCATION SERVICES

Chief Executive Officer

1652. Mr RIPPER to the Minister for Public Sector Management:

- (1) What selection procedures have been adopted for the appointment of the Chief Executive Officer for the Department of Education Services?
- (2) Who are the members of the selection panel charged with making the recommendation for this appointment?
- (3) Has the Minister formally or informally received a recommendation for this appointment?
- (4) When will a decision be made on this appointment?

Mr COURT replied:

- (1) Selection procedures will be in accordance with section 45 of the Public Sector Management Act.
- (2) The Commissioner for Public Sector Standards has appointed a selection panel to assist him, consisting of -

Mr Greg Joyce (Chair)
Executive Director, Homeswest

Professor Leslie Parker
Deputy Vice Chancellor, Curtin University

Mrs June Jones
Principal, St Hilda's Anglican School for Girls
- (3) No.
- (4) A decision will be made once the Commissioner for Public Sector Standards forwards his nomination of person/s suitable for appointment to the vacancy.

EDUCATION - CURRICULUM COUNCIL

Chief Executive Officer

1653. Mr RIPPER to the Minister for Public Sector Management:

- (1) What selection procedures have been adopted for the appointment of the Chief Executive Officer of the Curriculum Council?
- (2) Who are the members of the selection panel charged with making the recommendation for this appointment?
- (3) Has the Minister formally or informally received a recommendation for this appointment?
- (4) When will a decision be made on this appointment?

Mr COURT replied:

- (1) Selection procedures will be in accordance with section 45 of the Public Sector Management Act.

- (2) The Commissioner for Public Sector Standards has appointed a selection panel to assist him, consisting of -
- Mr Barry Sargeant (Chair)
Executive Director
Office of Racing, Gaming and Liquor
- Ms Therese Temby
Director
Catholic Education Office of WA and
Chair of the Interim Curriculum Council
- Associate Professor Owen Watts
Dean, Faculty of Education, Curtin University
- (3) No.
- (4) A decision will be made once the Commissioner for Public Sector Standards forwards his nomination of person/s suitable for appointment to the vacancy.

DETENTION CENTRES - RIVERBANK

Staff Training Facility

1671. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:
- (1) Has the Government given consideration to using the Riverbank Detention Centre as a staff training facility?
- (2) Has a decision been made on this matter?
- (3) If so, when was the decision made?
- (4) What was the basis of the decision?
- (5) Given the current overcrowding in maximum and medium security institutions, has any consideration been giving to using the Riverbank Detention Centre to accommodate either male or female prisoners?
- (6) If so, does the Government intend to use the facility for that purpose?
- (7) If not, why not?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) No.
- (2)-(4) Not applicable.
- (5) Yes. The Ministry of Justice is presently considering a range of prison accommodation options, including utilisation of all existing institutional capital assets.
- (6) Government is yet to consider these options and therefore no details are available at this time.
- (7) See (6).

PRISONS - BANDYUP

Number of Prisoners

1672. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:
- (1) What was the prison population at Bandyup Prison on 9, 16 and 23 June 1997?
- (2) What is the standard bed capacity of the Bandyup Prison?
- (3) Is the Government aware of the limited number of prison beds for female prisoners?
- (4) If so, what action does the Government intend to take to deal with the issue?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) The prison population was -

9 June 1997 - 113
16 June 1997 - 112
23 June 1997 - 110

- (2) Bandyup has a standard bed capacity of 85.
- (3)-(4) The Government is aware that the female prisoner population is increasing and is currently considering a range of options to address this matter.

MINISTRY OF JUSTICE - RESTRUCTURING

Separate Autonomous Divisions

1673. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:

- (1) Is it proposed the Ministry of Justice be restructured by the establishment of seven separate autonomous divisions within the ministry?
- (2) If not, exactly what is proposed?
- (3) If so, why has this new management structure been proposed?
- (4) Has a new management structure been implemented in the Ministry of Justice?
- (5) Does the new management structure involve a number of separate autonomous divisions?
- (6) If so, how many?
- (7) When was the decision made to restructure the Ministry?
- (8) Under any restructuring or proposed restructuring, will the Director General of the Ministry of Justice remain the accountable officer for the Ministry?
- (9) If not, will there be an accountable officer for some or all of the autonomous divisions?
- (10) Who will that accountable officer be?
- (11) What is the purpose and reason for the restructure or proposed restructure?

Mrs van de KLASHORST replied:

The Attorney General has provided the following reply -

- (1) No.
- (2) Nothing is proposed.
- (3) Not applicable.
- (4) No.
- (5)-(11) Not applicable.

MINISTRY OF JUSTICE - SECTION 9

Removal

1674. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:

- (1) Does the Government intend to remove section 9 of the Prisons Act 1981?
- (2) If so, when?
- (3) If not, why not?
- (4) Has the Minister made any public statement to the effect that section 9 of the Prisons Act 1981 will be removed?
- (5) What was the nature of the statement the Minister made?
- (6) What are the reasons for the removal of section 9 of the Prisons Act 1981?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1)-(6) The entire Prisons Act is currently being reviewed by the Ministry of Justice with the aim of developing a new prisons Bill.

MS PAMELA WALSH - APPOINTMENTS

1678. Mr GRAHAM to the Premier:

What positions has the Government appointed Ms Pamela Walsh to since 6 February 1993?

Mr COURT replied:

Ms Pamela Walsh was appointed to the Pundulmurra Council on 1 August 1993 to 31 July 1996 and to the Police Minister's Council on 1 October 1996 for a one year term.

MS PAMELA WALSH - VISIT TO PORT HEDLAND

1679. Mr GRAHAM to the Minister for Police:

- (1) Did Ms Pamela Walsh travel to Port Hedland on 24 June 1997 in any official capacity?
- (2) If yes to (1) above -
 - (a) in what capacity did Ms Walsh travel;
 - (b) what other centres did Ms Walsh visit during her trip;
 - (c) with whom did Ms Walsh meet while in Port Hedland;
 - (d) did Ms Walsh stay overnight in Port Hedland;
 - (e) what was the total cost of the visit by Ms Walsh;
 - (f) what was the purpose of the visit by Ms Walsh;
 - (g) from what budget was the cost of the trip met;
 - (h) who is responsible for authorising Ms Walsh's travel;
 - (i) to whom is Ms Walsh answerable?

Mr DAY replied:

- (1) Yes.
- (2)
 - (a) Chairperson of Minister's Council on Aboriginal/Police and Community Relations.
 - (b) None.
 - (c) Chamber of Commerce, Pundulmarra Training Centre, Pilbara Commission of Elders Meeting.
 - (d) No.
 - (e) \$804.00.
 - (f) Attend the official launch of the Mobile Police Facility and Community Policing/Crime Prevention Resource Centre.
 - (g) Minister's Council on Aboriginal/Police and Community Relations.
 - (h) Western Australia Police Service Aboriginal Affairs Directorate.
 - (i) Minister for Police.

ABORIGINES - FRINGE DWELLER CAMPS

Government's Policy

1681. Mr GRAHAM to the Minister for Aboriginal Affairs:

- (1) Does the Government have a policy governing the location of Aboriginal fringe dweller camps?

- (2) If yes to (1) above -
- (a) what is that policy;
 - (b) on what date was the policy introduced;
 - (c) what areas of the State does the policy apply to?

- (3) If the answer to (1) above is no, why not?

Dr HAMES replied:

- (1) No.
- (2) Not applicable.
- (3) Fringe dweller camps, and their location occur as a result of historical practices and decisions by Aboriginal people. Their existence and location are not as a result of government policy. The Aboriginal Affairs Department works in partnership with community groups, Local Government, the Commonwealth Government, the Department of Land Administration and in some instances enlists the support of companies in the private sector to address issues relating to land usage, land tenure and suitable locations in the most appropriate manner for each particular group.

ABORIGINES - FRINGE DWELLER CAMPS

Government's Policy

1682. Mr GRAHAM to the Minister for Aboriginal Affairs:

- (1) Does the Government have a policy governing the level of services to be supplied to Aboriginal fringe dweller camps?
- (2) If yes to (1) above -
- (a) what is that policy;
 - (b) on what date was the policy introduced;
 - (c) what areas of the State does the policy apply to?
- (3) If the answer to (1) above is no, why not?

Dr HAMES replied:

- (1) The Government endeavours, for all Western Australians, to -
- . provide equitable access to services and entitlements;
 - . ensure that proper standards of public health are maintained;
 - . maintain law and order and personal safety;
 - . provide access to those services which enable people to maintain their own health and well being and that of their family.
- (2) (a) See above.
(b) This approach is consistent with various State Statutes.
(c) This is applicable to all Western Australians.
- (3) Not applicable.

ABORIGINES - PARNPAJINYA COMMUNITY

Urgent Help

1684. Mr GRAHAM to the Minister for Aboriginal Affairs:

- (1) As a result of the Minister's announcement of 25 June 1997 with relation to the Parnpajinya Community near Newman, will all Aboriginal fringe dweller camps in the State now be entitled to similar urgent help?
- (2) If so, by what process will such help be forthcoming?
- (3) If not, why not?

Dr HAMES replied:

- (1) The Government endeavours, for all Western Australians, to:
- . provide equitable access to services and entitlements;
 - . ensure that proper standards of public health are maintained;

- . maintain law and order and personal safety;
 - . provide access to those services which enable people to maintain their own health and well being and that of their family.
- (2) By the appropriate government agencies allocating resources on an equitable basis depending on assessed levels of needs and priorities.
- (3) Not applicable.

OCCUPATIONAL HEALTH AND SAFETY - OFFICERS

Overseas Travel

1695. Mr KOBELKE to the Minister for Labour Relations:

- (1) How many officers have travelled overseas in the 1996-97 financial year in relation to occupational health and safety work?
- (2) What countries have been visited by these officers?
- (3) What was the total number of days that each of these officers spent overseas undertaking work for the Western Australian Government in relation to occupational health and safety issues?

Mr KIERATH replied:

- (1) 6.
- (2) United Kingdom, Malaysia, China and Vietnam.
- (3) 81 days (includes travelling time).

MINISTERS OF THE CROWN - MINISTER FOR LABOUR RELATIONS

Western Australian Business Quote

1696. Mr KOBELKE to the Minister for Labour Relations:

- (1) Did the news sheet *Western Australian Business* in its edition volume No 11, dated 29 May to 11 June 1997, contain the following quote "Mr Kierath says that the recently released Fielding Report has received the backing of all parties"?
- (2) Is this a correct quote from the Minister?
- (3) If not, what steps has the Minister taken to seek a retraction or correction by this paper?
- (4) What statement did the Minister in fact make which may have led the paper to produce the statement above?

Mr KIERATH replied:

- (1) Yes.
- (2) This was an editorial comment, not a direct quote from me.
- (3)-(4) The two quotes which followed this line in the story clarified my position.

GOVERNMENT ADVERTISING - DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS

Officers Responsible

1697. Mr KOBELKE to the Minister for Labour Relations:

- (1) Who is the officer responsible for the advertisements placed in newspapers by the Department of Productivity and Labour Relations headed "YOUR CHOICES IN THE NEW WORKPLACE"?
- (2) If there is more than one responsible officer, then for which specific advertisements is each of these officers responsible?
- (3) In each case does the Minister hold the officer responsible for the content and accuracy of the statements made in these taxpayer funded advertisements?

Mr KIERATH replied:

- (1) A number of people have been involved in the approval process.

- (2) The same process has been used for all advertisements.
- (3) Not applicable.

MINISTRY OF JUSTICE - PUBLIC TRUSTEE'S FINANCES

Crown Solicitor's Advice

1698. Mr KOBELKE to the Minister representing the Attorney General:

- (1) Did the Auditor General in his first general report of 1995 draw attention to the inappropriateness of the Ministry of Justice being partly responsible for the Public Trustee's finances under the current legislation?
- (2) Did the Ministry of Justice refer this matter to the Crown Solicitor for advice and, if so, on what date was this advice sought?
- (3) Has advice been received from the Crown Solicitor?
- (4) What action is the Government proposing to take on any advice it has received from the Crown Solicitor in regard to this matter?
- (5) If legislative changes are required then when is it proposed to introduce legislation in order that the Ministry of Justice's involvement is not in contravention of section 4 of the Public Trustee Act 1941?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (1) Yes.
- (2) Yes - 4 July 1996.
- (3) Yes.
- (4) None.
- (5) Not required.

PUBLIC TRUST - KPMG REPORT

Presentation

1799. Mr KOBELKE to the Minister representing the Attorney General:

- (1) On what date was the KPMG report into the Public Trust Office presented to the Government?
- (2) Has the Government considered this report and its recommendations?
- (3) Has the Government concluded its consideration of this report and, if so, when was this completed?
- (4) Has the Government formulated any response or plan of action based on this KPMG report?
- (5) If so, what was the date on which Cabinet decisions were made with respect to this report?
- (6) What action has resulted from the KPMG report into the Public Trust Office?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (1) 23 November 1995.
- (2)-(4) An Advisory Board for the Public Trust Office is being established to consider and advise on recommendations contained in the KPMG report.
- (5) Not applicable.
- (6) See (2)-(4).

The remainder of questions on notice answered on Tuesday, 19 August will appear in *Hansard* Wednesday, 20 August.

QUESTIONS WITHOUT NOTICE

DRUGS - HEROIN

Methadone Program - Government Funding

512. Dr GALLOP to the Premier:

I refer to the Premier's promise of increased funding to tackle Western Australia's heroin crisis and, in particular, his claim on the front page of *The West Australian* yesterday that "this is one issue where there's no argument about budgets."

- (1) If the Premier is really serious about saving lives why does he not immediately allocate more money to the methadone program so that the 120 heroin addicts who are desperately waiting for help can receive assistance immediately?
- (2) Will the Premier give a commitment today that any heroin addict who seeks help will be admitted to the methadone program without delay?

Mr COURT replied:

- (1)-(2) Unlike members opposite, we became heavily involved in this issue two years ago. All members opposite did was move to decriminalise drugs! I notice that now they have gone silent on that matter. We have expanded the availability of the methadone program through the community. Currently, 47 general practitioners have been trained to administer methadone to heroin users. I have been advised that the waiting lists have been reduced to a maximum of two weeks.

Several members interjected.

The SPEAKER: Order! The member for Pilbara!

Mr COURT: The addicts go to the central clinic for treatment and access to treatment can be immediate if the addict is one of the patient base of a general practitioner who is a prescriber. Further training of general practitioners in Perth will be undertaken in September, and in Kalgoorlie and Geraldton later this year. Was that the information sought by the member?

Dr Gallop: I do not think that you have given a commitment, Premier.

Mr COURT: I think the Leader of the Opposition is upset by my answer.

Dr Gallop interjected.

The SPEAKER: Order! Although this is the first day of this spring session the Leader of the Opposition knows that it is highly disorderly to interject when I am on my feet. As has been the case in the past, I will allow members who ask a question to interject to seek additional advice, but we cannot have interjections from all over the Chamber.

HIGH COURT - JUDGES

Western Australian Replacement

513. Mr BAKER to the Minister representing the Attorney General:

In view of, firstly, the impending retirement of High Court Judges Toohey and Dawson and Chief Justice Brennan and, secondly, the fact that the balance of the High Court bench hail from New South Wales, will the Attorney General strongly lobby his federal counterpart to ensure that at least one of the three replacements comes from Western Australia?

Mr PRINCE replied:

I thank the member for some notice of this question. The Attorney General has provided the following reply -

The Attorney General is aware of the importance of the new appointments shortly to be made to the High Court. At a recent meeting of the Standing Committee of Attorneys General, the Attorney General held private discussions with the commonwealth Attorney General. During the discussions Western Australia's position regarding the High Court appointments and, more generally, the process of such appointments was made clear to the commonwealth Attorney General.

DRUGS - HEROIN

Purchase by Journalist

514. Dr GALLOP to the Minister for Police:

I refer to last night's story on Channel 9 News revealing the ease with which heroin can be purchased on Perth streets.

- (1) Why can a television reporter track down a drug dealer within a matter of hours when police officers apparently cannot?
- (2) Is the Minister concerned that the police reaction to last night's story on Channel 9 News has been effectively to shoot the messenger by threatening to lay charges against the journalist and Channel 9?
- (3) Would not police time and resources be better spent pursuing drug dealers than pursuing journalists who embarrass the Government by exposing its failure to put a dent in Perth's heroin trade?

Mr DAY replied:

- (1)-(3) Yes, I did see that story. I could not help coming to the conclusion that anybody who operates in such a manner is treading on very thin ice. A journalist or anybody else without proper authorisation to possess drugs puts themselves in a potentially dangerous situation by buying drugs. The Leader of the Opposition said police were apparently unable to locate drugs in the community. That is patently untrue. If the Leader of the Opposition watched the next item on last night's news bulletin to which he referred, he would have seen that nearly half a kilogram of heroin was seized in Scarborough the previous night. With the amount of drugs in the community and the amount of heroin and other drugs that come into Australia, through the ports of Western Australia or through other ports in Australia -

Dr Gallop: What do you think of the action of the Federal Government on that issue?

Mr DAY: Does the Leader of the Opposition want an answer to the question, or not?

Dr Gallop: Yes, I do.

Mr DAY: With the amount of drugs that are present in the community, it is an impossible task for the Western Australia Police Service to locate every gram of every drug. Nevertheless, the Police Service is putting in a substantial effort, with substantial success in locating drugs. It will increase its efforts even further over the next week. Announcements will be made about that in the next day or two.

The Leader of the Opposition referred to the role of federal law enforcement agencies. Concern has been expressed about reductions to the budgets of the Australian Federal Police and the National Crime Authority. Those matters have been taken up by me with the federal Attorney General and also with the recently appointed federal Minister responsible for the customs service. We have had productive discussions. This Government has made the point clearly to them that they must do whatever they can to intercept drugs coming into the country.

The important point about drugs in the community is that it is not just up to police: It is impossible for police to deal with this situation alone. They need the assistance and involvement of the community, and they need information to be supplied by the community.

Mr Graham: If they can't deal with drugs, what do we have them for? Since you've been Minister for Police, everything has become an operational matter and they can't deal with anything.

Mr DAY: I have never said the police could not deal with drugs; they are dealing very effectively with drugs.

Mr Graham interjected.

The SPEAKER: Order!

Mr DAY: It is interesting the member for Pilbara seeks to interject. As he is well aware, I visited his electorate last week. It was a productive and successful visit and one that left me with a great deal of encouragement about the work being done by the police in a range of centres in his electorate.

Mr Graham: You reckon they can't deal with drugs. In the autumn session you said they couldn't deal with burglaries. They can't deal with assaults.

The SPEAKER: I formally call to order for the first time the member for Pilbara.

Mr DAY: The member for Pilbara unfortunately has a significant problem with his own recollection. He finds it difficult to be accurate about that matter.

The point I make is that a member of the public approached me in a north west town last week and said that he had observed what he believed to be drug dealing activity taking place in a particular part of that town on a particular day of the week. To quote him: "Police must have been told to back off."

The SPEAKER: Order! I ask the Minister to bring his answer to a close.

Mr DAY: I will do so, Mr Speaker, but opposition members have been fairly persistent in their interjections. It is important that members opposite understand that to deal with this problem we need a combined community and police response. I asked the member of the public who said he believed that the police must have been asked to back off whether he had reported what he had seen to the police, and he said that he had not done so. That is symptomatic of the actions of many members of the community. Police need to be advised when a problem exists so they can respond in an appropriate manner.

DRUGS - HEROIN

Effectiveness of Police - Comments by Deputy Premier

515. Dr GALLOP to the Minister for Police:

As a supplementary question, has the Minister for Police discussed with the Deputy Premier and Leader of National Party since the National Party conference his comments about the effectiveness of the Western Australia Police Service in relation to drugs?

Mr DAY replied:

No, I have not discussed that question with the Deputy Premier.

CARNARVON CAMP SCHOOL - FUTURE

516. Mr SWEETMAN to the Minister for Education:

Concerns have been expressed by some of my constituents about the future of the Carnarvon camp school. Following the Minister's recent visit to my electorate, can he inform the House of the future of the camp school, and particularly whether the facility will continue to be utilised for education purposes?

Mr BARNETT replied:

I thank the member for some notice of this question and for accompanying me on an inspection of, and discussion regarding, the Carnarvon camp school last week. Unfortunately, the camp school has had a very low rate of occupancy - it is about 15 per cent - with only one school group using the camp school last term for an overnight stay, and only two or three bookings for the current term. Regrettably, the decision has been made to close the camp school for those purposes. It was running at an operating cost of about \$150 000 a year, and I believe that this money can be better allocated to other areas within education.

However, regarding the use of the facility, which is the main issue, in-principle agreement can be reached for some buildings, known as the resource buildings, to be used as a creche for Aboriginal children in the area. These facilities would be retained within the ownership of the Education Department. The main camp buildings will also remain in the hands of the Education Department and, consistent with local area planning, an opportunity will arise for schools in the area to decide how the facilities will best be used. Along with the member for Ningaloo, I witnessed the gecko program, which addresses the needs of young Aboriginal children who have either not been to school or have been disrupted and not settled into a school environment, and that program could be expanded and based within the facility. It is an asset for Carnarvon. Also, I hope that the facility could be used as a state trial for a hostel arrangement specifically targeted at Aboriginal children. It will remain an Education Department asset.

HEALTH - ALCOHOL AND DRUG AUTHORITY

Community Drug Service Teams

517. Dr GALLOP to the Minister for Family and Children's Services:

I refer to the Government's decision to replace the Alcohol and Drug Authority's metropolitan treatment services and regional offices with community drug service teams under the control of the Minister's department.

- (1) Is it true that staff on the community drug service teams will be paid less than the experts they are replacing?
- (2) If so, how does the Minister expect to attract people with the same, or better, levels of qualification?

- (3) Is it true that this change was recommended by the Premier's drug task force two years ago when the main drug problem facing WA was amphetamine, not heroin, abuse?

Mrs PARKER replied:

- (1)-(3) I thank the Leader of the Opposition for the question. The provision of community drug service teams was an initiative in the package we announced some six weeks ago. When I was given the task of putting together an ongoing program to deal with the drug problem facing Western Australia, we identified that the availability of early intervention and support for parents and communities was a real weakness in the service provision. Therefore, it was determined to put together the community drug service teams. There will be four such teams in the city, consisting of six professionals, and six teams, containing three professionals, will operate throughout regional Western Australia. Not only will the number of people in those teams, which are available to respond to the community's problems for both young people and their parents, increase from 18, as is the case under the old structure, to 42, but also the type of service provided by the professionals will be expanded. The people in the ADA have been doing a great job. The community drug service teams will not only provide a medically based service, but also include youth outreach workers and family support workers. They will be available to work with schools and the drug action groups.

Another change in the provision of this service is that we advertised these programs for tender. That will enable non-government organisations to be involved. Part of our strategy is to engage the community in the response to the drug problem.

Dr Gallop: That is one of the best organisations in the State and you have destroyed it. It is one of the most innovative government organisations. You have knocked it off.

Mrs PARKER: We have not destroyed it. The ADA, and its service is becoming part of the Health Department. The alcohol and drug service unit is being established in the Health Department as a specialist service. The remainder of the program, the non-medical service that was delivered out of the ADA, will now be taken up by the community drug service teams. We will be interested to see who tenders for these programs and the terms that are submitted. The tenders will be supervised by the Department of Contract and Management Services and will be considered in line with proper processes, and will be awarded accordingly.

SALARIES AND WAGES - WESTERN AUSTRALIA

Comparison

518. Mr NICHOLLS to the Minister for Labour Relations:

Can the Minister inform the House of the latest information on wages in Western Australia and how that compares with certain predictions made prior to the coalition's winning government in 1993?

Mr KIERATH replied:

Last week it was reported in the newspaper that workers in Western Australia earned more than those in any other State, except New South Wales. For the information of members, the average wage in New South Wales is \$721, compared with the Western Australian average wage of \$695. That is not bad when we take into account the difference in housing costs. New South Wales has some of the most expensive housing in the country and Western Australia has one of the least expensive housing options available in the country. South Australia has the lowest average wage of \$655 a week. Surely the Australian Labor Party should support this because low inflation and increasing real wages are good news for Western Australian workers.

We should listen to those opposite. All they can do is carp and whinge about an announcement or some comments I am trying to make. Let us compare these outcomes with the predications of those opposite. When the coalition introduced its industrial relations policy they predicted a 25 per cent cut in wages and conditions for workers in this State. They said that working conditions would be massively reduced, wages would be slashed, and wages would be forced down. They talked about sign or resign conditions and said that the awards would be abolished. Despite all of those things being said, the exact opposite is the truth. This Government honours its promises and has shown it can deliver on them.

Both the ALP and some unions have shown themselves to be undeserving of the trust of the public of Western Australia with the misleading information they have put around. The only thing I can say is that the ALP should be thankful that the workers in this State are getting a real increase in their pay. I think the unions and those opposite begrudge it. Workers in this State are far better off under a coalition government than they ever were under a Labor Government. One of the good things to come out of all of this is that as long as we keep getting increases in real

wages, providing it is associated with a corresponding increase in productivity, it will mean more growth for Western Australia and more jobs for Western Australians.

LABOUR RELATIONS LEGISLATION AMENDMENT BILL - ADVERTISING

Withdrawal

519. Mr KOBELKE to the Minister for Labour Relations:

I refer to the Government's television advertising in support of its Labour Relations Legislation Amendment Bill 1997, and ask -

1. Was this advertising withdrawn by the Government following my letter to the Federation of Commercial Television Stations complaining that the advertising was false and misleading?
2. On whose advice was the advertising withdrawn because it was false and misleading?
3. What were the reasons for withdrawing those advertisements?

Mr KIERATH replied:

- (1)-(3) I make it very clear that the advertising was not false and misleading; it was accurate. However, as a result of action in which, I have no doubt, members opposite were involved, the television stations said they classed the matter as political.

Several members interjected.

Mr KIERATH: It is fascinating. The Government questioned that answer because at the same time advertisements were running on the gun issue. The answer was that the gun issue was no longer of a political nature because the controversy had died down. The powers that be said that there was no controversy as such; therefore, they no longer classed the matter as political and it was quite okay for the Government to run advertisements on its legislative programs. I argued strongly that it was information on part of the Government's legislative program which had become law and that because so many people had been fed the wrong information by the Labor Party and the union movement, there was a real need for an education and information program. The television stations said that while there was a bunch of rabble camped across the road from this place and demonstrations were being held, they considered the matter to be political and would not run the advertisement until they deemed the issue to be no longer political.

Interestingly enough, the electronic and the print media ran it and I am eternally grateful for that because at one stage there were in excess of 300 inquiries a day, but now it has dropped to fewer than three or four inquiries a day. The Government is satisfied that most people have got the message. I will do some research to make sure the message has got through and if it has not I will come up with another advertising program.

SPORT AND RECREATION

Community Recreation Centre - Iluka

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

- (1) Is the Minister aware of the City of Wanneroo's decision to construct a community sporting facility in the suburb of Iluka?
- (2) If so, what monetary contribution, if any, has the State Government made towards the cost of constructing the complex?
- (3) What is the nature of the complex and which sports will be played there?

Mr MARSHALL replied:

I thank the member for some notice of this question.

- (1) The Minister for Sport and Recreation is aware of the planned community sporting facility in the suburb of Iluka.
- (2) The State Government, through the community sporting and recreation facilities fund, has allocated a grant of up to \$600 000 to assist with the construction of this project in the 1997-98 financial year.

- (3) The facility will provide a clubhouse and extensive outdoor playing facilities to service the sports of cricket, bowling, hockey and potentially football. It is expected that the facility will become a focal point for the developing community in Iluka and the surrounding suburbs.

HOUSING - KEYSTART LOANS LTD

Mortgages - Foreclosures

521. Ms MacTIERNAN to the Minister for Housing:

- (1) Is the Minister aware that at least 300 Keystart borrowers who have lost their homes in the past two years have been left with large debts to pay off?
- (2) Does the Minister accept that there is something wrong with current Keystart lending practices that has low income earners borrowing far more than the market value of the homes they are purchasing?
- (3) Will the Minister review Keystart lending and valuing practices as a matter of urgency?

Dr HAMES replied:

I thank the member for the question and the notice she gave that she intended to ask it, albeit through the media.

(1)-(3) I am pleased to have this opportunity to answer some of the allegations which have been made.

Ms MacTiernan: I have raised it with you time and again.

Dr HAMES: The member has raised the matter. In fact, her timing is strange. She was given a briefing on it two months ago when Parliament went into recess and she chose the day before Parliament resumed to make an issue out of it. Keystart has been an extremely successful program. The program was introduced to take the place of the Lowstart program which was implemented by the Labor Party. Approximately 20 000 Keystart loans have been granted. The figure to April this year was 15 575, of which 15 500 have been successful. About 1.5 per cent of the 15 575 have got into difficulties, so it is true that some problems exist in that area. I appreciate the work of the member for Armadale in conducting a survey, and I hope she will make those figures available to me so I can ensure that the safety net scheme that I put in place in March is successful. The figures have shown that the scheme is successful and there has been a significant reduction in the number of problems.

One thing that Keystart cannot do is account for what people do outside the normal Keystart loan. People who are granted Keystart loans receive counselling prior to taking out their loan.

Ms MacTiernan: That is not true.

Dr HAMES: It is true. I wonder if the member for Armadale has checked with her bosses to make sure she is doing the right thing? The Trades and Labor Council Building Society participates in the Keystart program.

Ms MacTiernan: I have never spoken to them.

Dr HAMES: The member should have a word with them.

Ms MacTiernan: Did the Minister say that it is one of my bosses? The Minister should talk to Len Buckeridge; one of his bosses.

Dr HAMES: Yes, I think the TLC is one of the member's bosses. The TLC Building Society is a major building society that is heavily involved in the Keystart program. It is one of the retailers of the program. I think the TLC might have something to say to the member for Armadale, because it is successfully promoting the scheme. Those people receive counselling.

The case that will air on television tonight has been drummed up by the member for Armadale. That case relates to people who initially were able to cope with their loan. However, they got into financial difficulties of their own making. They declared themselves bankrupt owing almost \$40 000 outside of their Keystart loan. Their other major debt was arrears of \$16 000 to Homeswest. That significantly inflated their losses. They borrowed just over \$100 000. Their property is not on the market for the figure that was stated by the member for Armadale but for \$99 000.

Ms MacTiernan: There are hundreds more of these people, Minister.

Dr HAMES: There may be people who are experiencing difficulties, which is why I implemented a program to address their problems.

Ms MacTIERNAN: It is not addressing them.

Dr HAMES: It has. The member for Armadale has not seen the current figures, because they are new figures. There has been a significant drop in the number of people getting into trouble.

The SPEAKER: Order! Perhaps the Minister will bring his answer to a close.

Dr HAMES: I have been responding to some of the interjections.

I will compare the Keystart scheme introduced by the coalition Government with the Lowstart scheme of the former Labor Government. Under the Keystart scheme the rate of people who experience difficulty and sell their houses under valuation is 1.5 per cent. The Labor Government's scheme, which provided 5 461 loans, had a 4 per cent figure to match our 1.5 per cent figure. On top of that would have been added a further 16.7 per cent who would have had to sell their houses under market value had not this Government allocated \$7m to avoid that. That represents around 1 000 people. In effect, 20 per cent of the people under the Labor Government's scheme would have had to sell their properties for less than market value. This Government saved those people. Our scheme is extremely successful.

Many people in the electorate of the member for Armadale who bought homes through the Keystart program are extremely grateful to this Government because they would not otherwise have been able to obtain money from a bank. They obtained loans through a government scheme that provides the opportunity for people to purchase a new home.

The SPEAKER: Order! Minister, I require you to finish your answer.

PRIMARY SCHOOL - RANFORD ESTATE

Details

522. Mrs HOLMES to the Minister for Education:

Following the Minister's recent, most welcome decision that the next new primary school in the Canning Vale area will be in the Ranford estate would the Minister advise -

- (1) Where the new school will be located in Ranford?
- (2) What permanent facilities the school will have when it opens at the beginning of the 1999 school year?
- (3) What will be the design of the school, given the fact that it will be built in an upmarket suburb in my electorate?
- (4) What will be the timetable for its construction, fitting out and resourcing?
- (5) Given it is now common practice for the Education Department when commissioning a new school to appoint a foundation principal, will the foundation principal be appointed in sufficient time to oversee the school's construction and transition to a fully operational K-7 school in 1999?

Mr BARNETT replied:

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

- (1) The Ranford Primary School will be located on the southern end of Fastwood Parade, Ranford.
- (2) The Ranford Primary School will have the following facilities: A double early childhood unit, 12 general teaching areas, one library resource centre, one art craft room, one music room, a covered assembly area, a canteen, an administration area, a staff room, an oval and hard courts, which is the standard of new schools built throughout the State.
- (3) The Ranford Primary School will be a conventional purpose-built school. The design will complement its residential setting.
- (4) The planning and brief preparation will occur in late 1997. Construction is scheduled to commence in April 1998. The new facilities will be completed in December 1998 and will be ready for occupation for the 1999 school year. The administration area will be completed in October 1998 to allow the newly appointed principal to occupy the area and to plan for the school opening.
- (5) The principal of Ranford Primary School will be appointed in mid-1998. As soon as the appointment is made, the Education Department will ensure that he or she is included in the planning process.

The member for Southern Rivers has been very successful in lobbying for schools. By her thorough work as a local member she has proved that two new schools are needed in her rapidly growing electorate. Despite what may be popular views, this Government is building more schools than the previous Government. There are more schools

in Western Australia now than there were five years ago. They are getting better and better. This Government will be building schools through opposition members' electorates.

TOURISM - ELLE RACING

Mr John Harvey - Meetings with Premier

523. Mr BROWN to the Premier:

The Premier has had some notice of this question.

- (1) Has the Premier personally met with John Harvey of Elle Racing Pty Ltd?
- (2) If yes, on how many occasions and on what dates did he meet him?

Mr COURT replied:

- (1)-(2) I think the member asked the question on 17 June. I said that my records show that we met on 6 September at a luncheon for the crew and officials. I do not know what the member is getting at. If he has asked the question twice and is inferring there were other occasions, they are not on my records. If the member has any information which says I have met Mr Harvey on other occasions, perhaps he will say so.

Several members interjected.

The SPEAKER: Order!

Mr COURT: I have already replied to this House. This might upset members opposite but our advice is that the Whitbread Round the World Race will be the most successful ever.

TOURISM - ELLE RACING

Mr John Harvey - Meetings with Premier

524. Mr BROWN to the Premier:

As a supplementary question -

- (1) In the Premier's early discussions with Mr Harvey, did he discuss the then forthcoming state election?
- (2) Did he discuss the Elle Racing proposal in the context of that forthcoming state election?

Mr COURT replied:

- (1)-(2) I said that I met Mr Harvey at a luncheon which we organised for the crew and officials.

Several members interjected.

The SPEAKER: Order!

Mr COURT: The question asked what we talked about. I am sorry I cannot give the member details of what I spoke about at a luncheon.

The SPEAKER: I remind members that supplementary questions have one part only and not two.

INDUSTRIAL RELATIONS - EMPLOYERS

Strategies in Response to Market Forces

525. Mrs HODSON-THOMAS to the Minister for Labour Relations:

Is the Minister aware of what sorts of industrial relations strategies employers are using to respond to market forces?

Mr KIERATH replied:

We are all aware that at various times employers have to respond to prevailing market forces. If they have a falling customer base some employers have to resort to strategies such as job cuts and rationalisation. Sometimes they have to bring spending into line with income, if they have had operating debts. Some organisations have to go so far as rejecting pay claims and introducing revenue to staff ratios. Some employers have to go to extraordinary lengths simply to survive and to stay alive. Every time an employer has done this those on the other side have been loud in their criticism. They have condemned the employer from one end of the State to the other.

Several members interjected.

Mr KIERATH: Someone on the back bench said, "Apart from when it was a union." You can imagine, Mr Speaker, my absolute fascination when I was reading *The Australian Financial Review* in which an article stated that the Australian Manufacturing Workers Union has had to introduce all of these strategies to survive. It has had a fall in customer base and a reduction in its membership. In order to bring its spending into line it has had to resort to such things as cutting its administrative staff by up to 30 people. Have we heard the Opposition criticise that employer? Have we heard the Opposition condemn it and attack it? No; we have heard what we hear right now - stunned silence. Obviously its motto is "Don't do as I do; do as I say."

DRUGS - HEROIN

Premier's Letter to Mr Peter Walton

526. Dr GALLOP to the Premier:

Will the Premier explain why he wrote to Peter Walton, whose 17 year old daughter died of a heroin overdose, refusing his request for a meeting with him?

Mr COURT replied:

So that the Leader of the Opposition can get his facts right, his secretary wrote to me and I wrote back to his secretary. On radio this morning I apologised for the letter. There should have been a meeting.

Mr Kobelke: Now he is blaming the secretary. He never takes the cop for anything!

Mr COURT: I did not say that. I said that I received a letter from his secretary and a response was made to his secretary. As I said, I apologised this morning. People know how I operate; I see people like this as quickly as possible. There was an oversight in my office for which I apologised. The sooner I can see him the better. The rule in my office is that I try to see instantly people who are in this sort of situation. It did not occur in this case, and that has been corrected.

QUESTIONS ON NOTICE - FAILURE TO ANSWER

527. Mrs ROBERTS to the Minister for Police:

Under Standing Order No 110 I ask why I have had no response to question on notice 567, which has been on notice for over four months, and why I have received no answers to questions 1 102 and 1 103, which have been on notice for three months?

Mr DAY replied:

Without knowing the content of the three questions I cannot give a precise answer to why there has been no response, but I will have the matter investigated and provide a response as soon as possible. A number of responses are in the pipeline.

QUESTIONS ON NOTICE - FAILURE TO ANSWER

528. Mr BROWN to the Parliamentary Secretary representing the Minister for Tourism:

I refer to the same standing order. In question 632 I asked -

- (1) In the period from January 1993 to March 1997 which organisations and events received funding from EventsCorp for each event, how much was provided and to whom?
- (2) What are the terms and conditions that apply to those receiving funds?
- (3) Are the standard terms and conditions applicable to all groups receiving funding?
- (4) What procedures are there to -
 - (a) assess the financial and other credentials of those organisations receiving funding; and
 - (b) monitor the compliance of the recipients with terms and conditions of funding?
- (5) Are guarantees sought from directors and committee members of any organisations receiving funds to indemnify EventsCorp if it suffers from any loss due to failure of the organisation to fulfil any of the terms and conditions of funding?

Why has it taken four or five months to provide a response to this financial question?

The SPEAKER: Some indication of the question is not unreasonable, but it was not intended under the standing order that members re-read the question. It is primarily a device to alert Ministers and Parliamentary Secretaries to the fact that they have not answered the question and seek the reason for that.

Mr BRADSHAW replied:

I am not aware of why there has been a delay, but I will follow up the issue and have the question answered as soon as possible.
