

Legislative Assembly

Thursday, 11 May 1995

THE SPEAKER (Mr Clarko) took the Chair at 10.00 am, and read prayers.

SUPPLY BILL

Second Reading

MR COURT (Nedlands - Treasurer) [10.04 am]: I move -

That the Bill be now read a second time.

This measure seeks appropriation for issue and application as Supply to Her Majesty of \$3 200m out of the consolidated fund for the service of the year ending 30 June 1996 pending the passage of the consolidated fund appropriation Bills during the Budget session of the next financial year. The purpose of this Bill is no different from the Supply Acts of previous years. Supply is an integral element of the Westminster system of government and successive State Governments and Parliaments in Western Australia have accepted and understood that the intent of Supply is to give authority for expenditure from the commencement of a new financial year pending the passing of the consolidated fund appropriation Bills. This Bill can be regarded as providing votes on account. It appropriates the consolidated fund in aggregate pending the subsequent detailed appropriations. These moneys may be issued and applied to the works, services and purposes for which the consolidated fund was appropriated by the Parliament for the financial year ending 30 June 1995; or in respect of which payments of an extraordinary or unforeseen nature were charged against the consolidated fund in respect of the financial year ending 30 June 1995 under the Treasurer's Advance Authorization Act and the Financial Administration and Audit Act. The Bill prescribes a general monetary limit on drawings against the consolidated fund to overcome the problems which otherwise could arise by prescribing monetary limits in respect of the individual appropriation items which were detailed in the 1994-95 Estimates of Expenditure.

I have covered the general purpose of the Bill, and conclude by commenting briefly on the current year's budgetary position. The 1994-95 consolidated fund Budget presented to Parliament last year provided for total revenues and expenditures of about \$6b and a cash financing requirement or deficit of \$33.1m. The Budget also provided for a positive net financing requirement of \$34.6m, an improvement of \$79.9m when compared with the 1993-94 outturn. Given the magnitude of the total figures involved there will be, not surprisingly, variations to the estimates of both revenue and expenditure. Indeed, a recent review of the Budget indicates that both estimated revenues and expenditures will be above Budget with the prospect of an overall improvement in the 1994-95 budgetary position. In those circumstances, the expected improved financial outturn will be used to help reduce or eliminate the 1994-95 budgeted deficit of \$33.1m.

In framing the 1995-96 Budget, the Government will also give priority to holding down any increases in taxes and charges while reining in expenditures to manageable levels to maintain its fiscal objective of a zero or surplus net financial requirement on the consolidated fund during its current term in office. As members are aware, it is proposed to again introduce the State's Budget in mid-June together with the forward estimates of both revenue and expenditure for 1995-96 and the outyears. I commend the Bill to the House.

Debate adjourned, on motion by Mr Ripper.

TREASURER'S ADVANCE AUTHORIZATION BILL

Second Reading

MR COURT (Nedlands - Treasurer) [10.07 am]: I move -

That the Bill be now read a second time.

The Treasurer's Advance Authorization Bill authorises the Treasurer to make certain payments and advances for authorised purposes chargeable to the consolidated fund or the Treasurer's Advance Account within the monetary limit available for the financial year commencing 1 July 1995. The monetary limit specified with clause 4 of the Bill represents an authorisation for the Treasurer to withdraw up to \$200m for the financing of payments and advances in the 1995-96 financial year. This is identical to the limit which applies to the current financial year.

The purposes for which payments and advances may be made are set out within clause 5 of the Bill and remain unchanged from those authorised in previous years. Payments made in respect of a new item or for supplementation of an existing item of expenditure in the consolidated fund will be chargeable against the fund pending parliamentary appropriation in the next financial year.

Members will be aware that a number of activities, such as suspense stores for supply services and rental of government offices, are initially financed by way of Treasurer's Advance, which is subsequently recouped from the department or statutory authority on whose behalf the service was performed or rental paid. Advances provided for other purposes are repayable by the recipient.

Members will note that in comparison with last year, clause 5(1)(c) has been replaced in an expanded form by clause 6 to ensure that recoveries or recoups of advances are credited to the Treasurer's Advance Account. I commend the Bill to the House.

Debate adjourned, on motion by Mr Leahy.

ABORIGINAL HERITAGE AMENDMENT BILL

Second Reading

MR C.J. BARNETT (Cottesloe - Leader of the House) [10.10 am]: I move -

That the Bill be now read a second time.

The purpose of the Aboriginal Heritage Amendment Bill is to transfer responsibility for the administration of the Aboriginal Heritage Act 1972 from the trustees of the Western Australian Museum to the Minister for Aboriginal Affairs and the Aboriginal Affairs Department. The Bill introduces minimum legislative changes to the Aboriginal Heritage Act to effect the above transfer pending the outcome of a comprehensive review of the Act. As members will be aware, the Minister has recently initiated such a review. The Bill also makes consequential amendments to the Control of Vehicles (Off-road Areas) Act 1978, the Financial Administration and Audit Act 1985, and the Litter Act 1979.

As those members of the House who have had the privilege of formerly holding the Aboriginal Affairs portfolio will appreciate, the current convoluted legislative arrangements under which the Act has been administered have led to a number of difficulties. The Aboriginal Heritage Act currently gives responsibility for the administration of the Act to the trustees of the Western Australian Museum. The trustees are responsible for advising and assisting the Minister for Aboriginal Affairs in the exercise of his functions under the Act and are accountable to the Minister for Aboriginal Affairs for the general administration of the Act and the financial administration of the Aboriginal Material Preservation Fund. However, the trustees are accountable to the Minister for the Arts for the administration of the Museum Act 1969, under which the staff of the former Department of Aboriginal Sites were employed.

The recent establishment of the Aboriginal Affairs Department and the transfer of staff of the Department of Aboriginal Sites from the Western Australian Museum to the department has further complicated this arrangement and increased the urgency to amend the Act. Since the establishment of the Aboriginal Affairs Department, the trustees are reliant upon staff from another department to assist them in fulfilling their responsibilities under the act. The Registrar of Aboriginal Sites is also required by legislation to still be an employee of the staff of the Museum. There is understandably also a number of financial reporting difficulties that arise under the current arrangements.

The Aboriginal Heritage Amendment Bill seeks to resolve these difficulties by removing references to the trustees of the Western Australian Museum and therefore the responsibility of the Minister for the Arts under the Act. As I have mentioned, this is an interim arrangement pending the rewriting of the legislation following a review of its provisions currently being carried out by Dr Clive Senior.

Clause 12 of the Bill establishes the Minister for Aboriginal Affairs as a body corporate responsible for the administration of the Act. Generally references to the trustees of the Western Australian Museum in the principal Act have been replaced by references either to the Minister, the registrar - for more administrative functions - or to the Aboriginal Cultural Material Committee, as the statutory advisory body. It is these substitutions which account for much of the bulk of the amendment Bill. I will therefore refrain from going into detail about each clause of the Bill. I would, however, like to draw to the attention of the House the following clauses.

Clause 19(1) amends section 18(1) by removing the requirement for applications under section 18 to be lodged by the "owner of any land", and substituting the expression "the holder of any interest in land". An interest is defined in accordance with the definition included in the Land (Titles and Traditional Usage) Act 1993. The purpose of this amendment is to rectify the current anomalous situation whereby the owner of the land, such as the Crown, must apply for consent to use land containing an Aboriginal site rather than the proponent of a particular proposal. The amendment will therefore simplify existing approval procedures and make them consistent with legislation governing planning and environmental approvals.

Clause 19(2) validates the actions of the Aboriginal Cultural Material Committee acting in accordance with powers delegated by the trustees of the Western Australian Museum. The validity of this delegation has previously been the subject of a challenge in the Supreme Court.

Clause 30 provides for the Registrar of Aboriginal Sites to be an officer of the Department of Aboriginal Affairs appointed by the department's chief executive officer. This replaces the existing arrangement where the registrar must be a member of the staff of the Museum appointed by the Museum trustees.

Clause 32(c) inserts a new general function for the Aboriginal Cultural Material Committee. The purpose of this paragraph is to ensure that the committee is empowered to perform any functions formerly executed by the trustees that may have been allocated to it by this amendment Bill.

Part VI of the Aboriginal Heritage Act deals with the protection of Aboriginal objects. Many of the powers under this part are available to the Museum under the Museum Act 1969 and as such have never been used in the 23-year history of the Aboriginal Heritage Act. Generally references to the trustees in this part have been replaced by "Minister" as the corporate body, with the exception of purely advisory functions, which have been allocated to the committee.

Clause 33 amends part VI by inserting four new sections. Section 39A seeks to ensure consistency between the administration of part VI of the Aboriginal Heritage Act and the Museum Act 1969 by requiring consultation between the Minister and the Museum trustees. Section 39B enables the Minister to delegate his powers and duties under this part to the trustees and section 39C empowers the registrar to act on behalf of the Minister in order to carry out many of the more administrative functions required under this part. Section 39D requires the Minister to consult the Aboriginal Cultural Material Committee when exercising his functions under part VI.

Clause 51 repeals the existing financial provisions of the principal Act. The Aboriginal Affairs department will operate directly against a consolidated fund appropriation, which will include an allocation to fund the administration of the Act. References to the Aboriginal Material Preservation Fund currently administered by the trustees are therefore removed and a trust fund is established to hold gifts, bequests and research and other grants. Clause 51 also provides transitional provisions to deal with the balance of the Aboriginal Material Preservation Fund at the time of proclamation.

Clause 52 simply updates the existing sections 67 and 68, which provide indemnity for those performing a function under the Act and empower the Governor to make regulations respectively. Part 3 of the Bill deals with minor consequential amendments to the Control of Vehicles (Off-road Areas) Act 1978, the Financial Administration and Audit Act 1985, and the Litter Act 1979.

In conclusion, the Aboriginal Heritage Amendment Bill seeks simply to make a number of necessary administrative changes to the Aboriginal Heritage Act. I have resisted the temptation to make more substantial changes to an Act that is badly in need of updating in the knowledge that a comprehensive review of the Act is currently proceeding and in recognition of the need to pass these minor amendments as a matter of urgency. I commend the Bill to the House.

Debate adjourned, on motion by Mr Leahy.

TITLES VALIDATION BILL

Report

Report of Committee adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Barnett (Leader of the House), and transmitted to the Council.

FORREST PLACE AND CITY STATION DEVELOPMENT AMENDMENT BILL

Second Reading

Resumed from 7 December 1994.

DR EDWARDS (Maylands) [10.17 am]: There is no doubt that the development of the railway system, and particularly the electrification of the system, has meant that the central area around Forrest Place has taken on new and great significance.

Point of Order

Mr C.J. BARNETT: Just to help clarify the situation, the member for Maylands might like to make it clear that she is not the lead speaker.

The SPEAKER: Does the member wish to continue her remarks?

Dr EDWARDS: I would be very pleased if our lead speaker could take up the reins at this stage.

The SPEAKER: The only problem is that you would interfere with your subsequent right to speak.

Dr EDWARDS: Can I seek leave to continue?

The SPEAKER: If you intend to speak now not as lead speaker, in due course we will have the Opposition's lead speaker.

Debate Resumed

Dr EDWARDS: As I was saying, the area around Forrest Place and the City Station has now taken on great importance. There is no doubt that my electorate contributes significantly to the number of people going to that area. The Perth to Midland railway line runs through my electorate and that stretch of line includes five railway stations. Every station is quite busy and three stations, in particular, are extremely busy. Obviously, when people are travelling from my electorate, they are generally going towards the city and end up at Forrest Place.

I was very concerned recently when several young people in my electorate told me that they are unhappy about catching the train to town because when they arrive at the central

area they feel unsafe. They feel some risk to their security. I am pleased that some provisions in the Bill will ensure that their safety is increased and their security protected. Therefore, they will be more inclined to catch the train.

I will make some general comments about security of the railway system and put them in the context of the concerns expressed to me in my electorate. At Bassendean a number of elderly women - people known to me - have been bashed on the railway station. That has been a very significant occurrence. Those women are constituents in that part of my electorate. It tends to be an area with older than average citizens who live alone because their husbands have passed away. In the circumstances they are not keen to drive to the city. We should encourage them to use our electric train to the city because it will be good for the system and our environment. As a result of the attacks on the women at the station they and their friends are reluctant to catch the train. They will not catch the train in the early evening or at night. They are happy to catch the train only in the early part of the day when the station is busy with trains taking people to work; and in the late afternoon in peak hour when people are travelling home from work.

I commend the work of the passenger service attendants at Bassendean, and particularly at Bayswater and Maylands. They are extremely helpful to people catching trains. At Bayswater, for instance, the station is near an elderly citizens' complex, and many of those people make use of the train service. Many people from the area are disabled, and it has been an ongoing battle to provide better facilities so that the people who are wheelchair bound can get onto the platform at Bayswater and off the train at other places. I have been to the station on many occasions and witnessed the great help that the passenger service attendants provide for patrons, particularly those who suffer a disability. I have received good feedback from people who avoided using trains in the past but now use them because of the support available at the station. The same comments can be made about the Maylands station. People catching the train at that station have also commented to me about the helpful assistance they receive from the people who are often on the platform, giving them advice about the train schedules and where to get tickets. Maylands has a different population. The Maylands station is close to the Royal Western Australian Institute for the Blind. Blind people are not in a position to drive cars, and they need public transport. Modifications are being undertaken at the Maylands station to make the platform more accessible. However, currently people who can get up the steep ramp to catch the train are pleased with the service and the help offered by the staff of the railway system.

I raise the safety issue today in the context of young people. No doubt, younger people need to develop a sense of independence. Members who are parents of older children will say that nothing is worse than having to drive young people from venue to venue on the weekends as they engage in their various activities. A good public transport system allows us to encourage young people to use public transport to engage in their social activities. We can encourage them to get together with their friends in safe ways to develop a sense of community and identity. It was with great concern that I heard from young people in my electorate that although they are happy to catch a train to go perhaps from Bassendean to Bayswater or Meltham to visit friends, they are fearful about travelling to the city by train. They say that there is some sort of gang activity around the concourse at the city station which threatens them. I was surprised to hear that because I considered these young people as very independent and capable - people who would not be feel threatened by anything. If young people identify that threat we should listen to them and address the problem. I hope this Bill will provide that mechanism.

Our electric railway system is absolutely fantastic. It serves my electorate extremely well. However, the Opposition has concerns about the safety of patrons using the system. We have great confidence in the passenger service attendants and the railway staff who do excellent work, particularly in my electorate. I hope the concerns of younger people regarding the central station can be addressed by the Bill.

MRS HALLAHAN (Armadale) [10.26 am]: I do not know whether the member for Maylands had an opportunity to refer to the purpose of the Bill. She was asked at short notice to be the lead speaker. Members may not recall that the second reading speech,

delivered some time ago by the Minister for Planning, states that this Bill will amend the Forrest Place and City Station Development Act which provides for pedestrian access by railway passengers and Westrail employees from the concourse to the railway station. The schedules attached to the Act indicate that Westrail has control over only the premises on the ground floor level, up to and including the top step of the escalators. The provisions of this Bill will expand the coverage of the Government Railways Act over the concourse area. It is a matter of security to extend the area that the staff of Westrail has authority over in order to provide a safe area, free from antisocial and criminal behaviour.

The Opposition supports the Bill but we do not think it is the best way to go. We do not support the government policy and direction implied by the Bill. Had the Government fulfilled its promise to provide an additional 800 police we would not need to extend the provisions of the Government Railways Act to provide a safe environment in the City of Perth. We are debating a broken promise. Had the Government provided the 800 police officers we would have police foot patrols in this significant area in the heart of Perth. We would not be asking Westrail staff to take on police duties. The Government Railways Act does not have the extensive powers of the Police Act. Therefore, a limit will be placed on the exercise of power by Westrail employees, although we know that Westrail employees go about their jobs in a thorough and conscientious way. Again, the Court Government has demonstrated this week its aversion to rail by reducing positions in the government railway system by 25 per cent. Therefore, for many significant reasons, the Opposition has concerns about the issues underlying the Bill. This is a technical Bill to overcome the shortcomings that have developed as a result of the Court Government's failure to fulfil its election promises.

I will deal briefly with the precinct area. The area is a very valuable asset for the City of Perth. It links Northbridge, with its cultural and social amenities and parking facilities, with the central business district and its business and shopping activities. It has become a crucial pedestrian linkage for the city, and a very pleasant space in its own right. This is one of the great achievements of the Labor Government. Had we not had a Labor Government for that decade we would not have such a commitment to rail; that development would not have been provided by a conservative government. We see that area as one of the symbols of achievement of the decade of Labor government.

The Bill is technical in nature and has only three clauses. The third clause expands the policing role of Westrail staff over a wider area. Reference to the concourse area means an expanded area of Perth lot 969 running between Roe, Barrack and Wellington Streets over the railway line and within Perth lot 978 extending over Wellington Street from Perth lot 969 for a distance of 45 metres. Does that include the eastern and western walkways from the concourse area, both of which connect to buildings in Forrest Place, one with the old general post office complex and the other with the Myer shopping complex? Does that area extend to the Horseshoe bridge? I presume it goes right through to Barrack Street at the eastern end and carries on over the walkway that goes over to the Myer shopping complex. If that is the case, who provides the safe environment on the other pedestrian accessway over Wellington Street? This Bill highlights a difference between the Opposition and the Government in dealing with questions of security. For example, the police graffiti squad apprehend young people responsible for graffiti on MetroBus buses, and I wonder why police are not given the same responsibility for safeguarding trains and associated public areas? The Government's approach on this matter is inconsistent. The Police Act and the powers of police officers are greater than those provided by the Government Railways Act to railways employees.

The member for Maylands referred to some serious antisocial behaviour at the city station. This community has made a huge investment in the electrified railway system and it is a very serious matter when parents do not utilise that system and are put to the expense, in financial terms as well as time, in taking their children to various recreation activities because of security problems. Given the attitude of the Court Government to rail, it is no wonder we see it being neglected. Is it the Government's policy to try to persuade people, by not providing the safest environment possible, not to use that public

transport infrastructure? It is clear that security issues have become more acute since the Court Government was elected, despite its claim that it had the answer to law and order problems and its promise to provide a secure atmosphere and more police. It has been shown over and over again that any Government that rules on a divisive model creates more problems in the law and order area. After four years of this Government, analysis and research will show that will be the result in Western Australia once again.

I refer to security on our trains, to which the member for Maylands also referred and the member for Kenwick will do likewise. By interjection the Minister for Planning tried to make the point that this Bill deals with providing a safe environment; but this Bill is addressing a serious shortfall in commitments by the Court Government. It will be interesting to see just how many additional staff the Government will put in place to cover this expanded area of responsibility for Westrail. How many additional security staff will be employed so Westrail can police this expanded area of responsibility? I am sure the Minister will agree it is a significantly increased area to police. The Minister is not well advised to shake his head and indicate that no additional staff are necessary. It will be a problem for Westrail. Members will be aware that this week the Court Government announced that it will slash the number of positions in Westrail by 25 per cent. It is an unprecedented attack on the railways of Western Australia. If we expand its areas of responsibility, we should allocate additional resources. The Court Government is not taking seriously its commitments to law and order and public transport that it made to this electorate before the last election. We want some answers, Minister.

Mr Lewis: Why does the member for Armadale not address her comments to the Bill?

Mrs HALLAHAN: We want a little less head shaking from the Minister. If the Minister does not think clause 3 is about security, will he tell me what it is about? We have another example of a Court Government Minister who cannot relate to the comments that have been made about clause 3, which is the critical clause of the Bill. It is beginning to concern many members of the community that this Government cannot recognise its responsibilities, that it is saying one thing in one place and then doing another thing in another place. Does the Government expect the community will not see the disparity between words and actions? This Government made some promises before the last election - for example, it would not close the Midland Workshops - and within a short time of coming to office its actions did not match the words. The Minister is expanding the area for which Westrail is expected to be responsible and, by implication, from body language and interjection, he does not intend to increase the security staff to meet that expanded area of responsibility. That means that the Court Government has not heard the complaints that people like the member for Maylands have been hearing. People are very concerned about the security of their young people travelling on the public transport system, in particular rail, and are driving them to venues in the family car instead. If people were confident in the safety of the rail system, they would not do that. It is unsatisfactory for the trains to be running with fewer passengers when a clientele group wants to use that facility but does not do so because it is afraid. The Government is not up to the job with which it was entrusted and it is time that it took a serious look at it.

The short second reading speech says that this issue has been discussed with the Police Department and the City of Perth and that they are keen to see Westrail contribute to the maintenance of security in the area. I will bet they are. During the election campaign 800 police were promised and they have not been delivered.

Mr Wiese: We will do that.

Mrs HALLAHAN: Where are they? The Minister will say anything to rationalise his position. The Government said, "There will not be 800 police. We have left it too late. We did not do anything about it in our first Budget or our second Budget; however, in our third Budget we will do something, we will deliver 500 police and 300 clerical officers." Where are the patrol officers who will do the job for which, under this Bill, Westrail will have responsibility? There has been no response from the Government to that. I find the interjections amazing.

Nothing was said in the election campaign about the City of Perth being carved up into four pieces. Those towns have been run by friends of those in Government. Its friends in the City of Perth said, "We would be very pleased to see Westrail carry out a policing responsibility because we do not have the capacity to do it. You have not provided the 800 police promised in the election campaign. Let's get Westrail to do it." Then this week the Government cut Westrail staff by 25 per cent. How will Westrail do that job? The second reading speech should reasonably have addressed that. Can the Minister tell me why the police graffiti squad deals with graffiti on MetroBus buses and yet does not deal with those matters for the railways and, in particular, the electrified passenger transport system? The only difference is that one transport system runs on road and the other on rail.

Mr Lewis: It is called demarcation.

Mrs HALLAHAN: The Minister should tell me this: Obviously he believes in giving the widest powers to people looking after buses - I agree with that; but why do we not accord the same powers and staffing to look after the railway precincts and trains? One would have thought that as the area is to be expanded the Government would come in here with a proposal to deal with that.

Despite some very strong criticisms of the Government and its management of the issues surrounding railways and law and order, the Opposition will support the Bill. As I have said, it is only a small Bill but it indicates to us - the sage heads on the benches opposite should take note of this - that it would be very wise to consider the issues that the Opposition will bring forward in this debate. The community wants to see them addressed. Members of the community have been misled by the Court Government and they are worried about the future of the railways.

I remind members that a Court Government closed the Fremantle to Perth passenger railway line. A Minister interjected yesterday and said, "If we had not slashed 1 345 jobs out of Westrail, we would have no railways left." I suggest that the same thing would have been said when the railway line between Fremantle and Perth was closed. I was not a member then. I suppose the then Government said, "It is not viable; if we do not close this leg of the network, all of the others will also be unviable and the whole thing will have to be closed down."

Mr Lewis: You are getting confused. The Westrail program that has been announced is about goods and services and freight; it is not about passenger transport.

Mrs HALLAHAN: We just had a very interesting interjection. In the briefing I attended nothing was said about this program applying exclusively to goods and freight. No commitment was made that it would not also affect passenger services. If the Minister has not had a briefing from the Minister for Transport, I suggest that he does so today. No undertakings were given at the briefing I attended.

Mr Lewis: You are babbling on to waste time. Who are you waiting for?

Mrs HALLAHAN: The best system is to move people by rail. We all know that it is part of the Government's proposal, firstly, to put out to tender the bus system and, secondly, to move on the rail system. Nothing is sacrosanct under the Government. The Minister should just update himself or keep quiet because I am about to support this Bill.

Mr Cowan: We would much rather you did. Take your own advice.

Mrs HALLAHAN: The Deputy Premier is understandably sensitive, a bit like a grumpy bear today, given the number of workers that the Right Track program will take out of Merredin.

Mr Cowan: What you don't see is the number who will go back there.

Mrs HALLAHAN: The railways have never been subjected to such an attack as they were by the announcement of Right Track this week after a very secret process. The Government did not involve a great deal of Westrail expertise; consultants will be brought in to work with the Westrail hierarchy. Westrail was told to announce the program on the day when the federal Budget was brought down.

The SPEAKER: Order! I ask that the cross-Chamber conversation cease.

Mr Cowan: I was enjoying it.

Mrs HALLAHAN: That is no excuse. The Deputy Premier should not be enjoying himself in a week when his town has been slashed and burned by the Government's proposed measures, scurrilously announced on the day of the release of the federal Budget so that it was buried in the news reports. The Westrail story did not make the news reports on the day of its announcement or the following day. This Government sets out to bury big announcements such as this one. The Minister for Police thinks he did a good job getting his story on the front page of the newspaper today, which has kept the tragedy of the families of those in Westrail out of the news again. Those opposite know they have made a bad decision, that they do not want it publicised. They then do not want to debate this matter either. If the Government is doing bad things, it will not want them publicised. The Deputy Premier must admit that the Government is not making good decisions. If it were, it would put its decisions into the public arena where they could be fully examined. Members of the public could let the Government know how they feel, even those mature aged Westrail male employees who are in abject misery and who, not in keeping with our culture, end up in tears when they attend appointments with their local members of Parliament. Unions have been inundated with people who are in a very great state of confusion about what to do about their future as a result of the announcement regarding Westrail this week.

Despite that, in good faith we are debating this Bill which expands the area of responsibility under the railways legislation. We have been given no assurances that additional staff will be provided to carry out the extra responsibilities which the police and the City of Perth want Westrail to carry out. There is no indication that the Government will allocate more staff to provide an around the clock security presence at the Forrest Place and city station development area.

It is a bad week for the Court Government. It has established a witch-hunt royal commission. It does not mind spending over \$1m on that - some people have said it will be many millions of dollars - but it will not commit additional staff to provide security in what is a very significant city space, linking as it does the two sides of the railway line of our city. I support the Bill and trust that other colleagues who speak will highlight through the legislation where a lack of commitment to the community is shown by the Court Government.

DR WATSON (Kenwick) [10.53 pm]: My electorate of Kenwick has benefited from the electrified railway system in many ways; not only because there are five stations on the Perth-Armadale line but also it gives people from that area direct access by fast train to the Perth-Fremantle and Perth-Joondalup lines. People have commented to me how satisfied they are that they have that access. Often they must change trains in Perth.

However, people are fearful of using trains, not only at night but too often during the day. They feel very insecure if they must wait at Perth railway station in the evening and at night time. I know that that has stopped many people from using the trains. It has hindered the potential that the electrified system provides. However, on the positive side of the ledger, people believe that the passenger service attendants provide a customer-friendly service for them. They might be women with babies and toddlers who go shopping and who are assisted onto trains. The main benefit is for people with both physical and intellectual disabilities as well as blindness and deafness. The public transport system has been made accessible to them. Without passenger service attendants they are fearful they will have to change their mode of travel.

A number of issues have been raised by people who must wait at the station either because they are changing trains in Perth or they are catching a train home to Cannington or Maddington. I can attest to the observations they have made because I often park my car in Perth - confessing I do not go in by train very often. I use either the car park above the station off Roe Street, or the Alexander Library car park, and walk over the bridge to go to the city shops or to do business in Perth. Without doubt, at any hour of the day and night a number of young people are waiting about the concourse and the railway station.

They have certainly not made me feel threatened, but I can understand that they may make some elderly people in particular feel insecure. We know that incidents of minor crime have been reported from the concourse and this adds to people's feelings of insecurity. Everybody has a right to feel safe; above all everybody has a right to be safe. Public transport must be accessible. It is not accessible if people do not feel secure.

These are inherently planning issues and should be approached as such by both the Government and the new City of Perth Council. First, the passenger service attendants have done the most fantastic job to the point where, as their jobs came under threat, people with very severe disabilities were prepared to travel to public meetings and give media interviews to state their support for this service. There is a great fear, particularly among them, that if the new attendants must combine the functions of both a passenger service attendant and a security person, security will be given priority rather than assistance to those people getting on and off the train and being appropriately seated for their journey. I share their concern and I do not see any role for a combination of those two functions. If there is a fracas on a railway station or on a train, clearly that will receive the urgent attention of the person who has a split role. The person with a disability waiting for that passenger attendant's assistance will be left stranded or miss the station at which they want to get off the train. It is most unsatisfactory.

I bring to the Government's notice its responsibilities drawn by the Disability Services Act. All public services must be available as of right to people with disabilities. I would not be surprised if, the first couple of times something goes wrong with a person with a disability, this law will be invoked. I will encourage people who have a grievance in that direction to invoke it if they cannot access the train service as they should be able to.

Another group of people for whom I have concerns are the elderly. Very often the Forrest Place Meeting Centre is used by seniors' peak groups such as the Council on the Ageing, which might organise a forum to discuss a range of issues. The crazy thing is that, because they are too insecure to travel by train they get someone to drive them to City Place. That is something the Government should be aware of. If members attended those meetings and listened to elderly people they would come to the conclusion that something was wrong. The place is organised above the railway station. People go there who have access and who live along one of the three spines of the railway line, but they either drive there and park or get someone to drive them.

Something must be learned from these observations. City Place is used a lot for public meetings and for launches. I recently went to the launch of the Women's Legal Service survey on domestic violence in rural areas. People with disabilities often have their meetings there because it is so accessible. Again, one finds them using multipurpose taxis or private transport to get there because they do not feel safe. Therefore, it is incumbent on the Government to listen to the complaints, experiences, perceptions and fears of old people and people with disabilities. This wonderful community facility is not being accessed in the way it should be.

When we were in Government we advertised for the women's fellowship in 1992 to be taken up as a fellowship in residence. It was awarded jointly by the Office of Women's Interests and the Department of Planning and Urban Development to a British architect, Jos Boys. She came to Perth and talked about aspects of planning for women, of making buildings and public places safe and accessible for women, not just physically secure but with ease of access. She and Carmen Lawrence launched a vision for city safety in Forrest Place, taking its precinct as their focus. A public place for women should be well lit and accessible to women who have small children who need to be breast-fed and changed.

Those sorts of things are appropriate when planning public places for women. That fitted into the planning at that stage by the YWCA, which later was able to buy the Grand Hotel just east of Barrack Street on the fringe of this reserve. We all know the sad story of the YWCA. It struggled valiantly to provide a good class of two star accommodation and a safe house for women. The area at the northern end of Barrack Street and the eastern end of Wellington Street was so seedy, dark and inaccessible to women that the

YWCA had to move because those facilities became unusable. Those sorts of things have to be taken on board. Women feel unsafe in that part of Perth not only at dusk and at night, but also in the daytime.

Most of all, we must look at provisions that are made for our young people. Young people in the concourse apparently pose a threat to older people. They might be talking to each other, hanging about, standing, sitting, showing off, and nudging each other, but in the end they are there because neither the city nor the suburbs has appropriate facilities where youth can gather. If we have a fast transit system into the city, it is likely that children will use it to get there and to find out what is happening, and what they can do. Most are not there for trouble. It behoves the Government to match rhetoric with action, as the member for Armadale challenged it to do. It must provide enough staff to separate security and policing functions from passenger services. It must also provide facilities for our young people in the city and the suburbs so that people feel safe to travel on our public transport system. Not only must they feel secure, they must also be safe and secure, because of everybody's esteem, value and inherent dignity, whether young, old or disabled.

MS WARNOCK (Perth) [11.06 am]: As many of my colleagues have pointed out on both sides of the House, this is an extremely small Bill. The second reading speech was longer than the Bill, but because it concerns intimately a matter on my mind about the city and electorate of Perth I refer to it as a small but nonetheless important Bill. As my colleague the member for Armadale has said, we support this Bill because it deals with a problem that has existed for some time in the city of Perth. We are pleased to see it is at last being addressed. That problem mainly is safety and security on the concourse of the Perth railway station. It concerns security not only for those who travel regularly by train as commuters or to visit the city for shopping or leisure, but also for those people who walk through the area. As my colleague the member for Kenwick pointed out, the concourse area is used by a great number of people. I use it regularly. It is a good connecting link between Northbridge and the centre of the city. As a railway concourse, it has always a great movement of crowds at most times of the day or night. Because of that and because it is one of the gateways to the city of Perth, it must be secure and must be perceived to be secure. We all know from the discussions on crime we have had in this House that the fear of something bad happening is almost as much of a problem as something bad happening. The fear of something happening if one travels by train and/or goes into the city late at night will cause a lot of people to avoid visiting the city of Perth. As the member who represents the city and the areas surrounding it, I am very keen that people should feel secure when coming into the city of Perth and, therefore, I am a firm supporter of this amendment Bill.

As the member for Perth I have frequently had cause to bring to the attention of the Minister for Police the concerns of many rail travellers and visitors about their safety in the city. I have asked frequently for more police patrols in the inner city, Northbridge area and on the concourse. A couple of months ago I had a letter from a constituent with a business very near the station who felt at the time his business was being damaged by the fact that young gangs were gathering outside it in their progress around the station area. I wrote to the Minister for Police on his behalf. He felt he might have to pack up and go somewhere else. This fact has concerned also my fellow members of City Safe, a special community policing committee which is responsible for the care of the inner city area and concerns itself with things that occur in Northbridge, on the station concourse and in the central business district. At various times I have had cause to write to the City of Perth about this problem.

Any member who uses the concourse of the Perth station regularly will know that for some time there has been a problem with lighting in some parts. There has been a problem also with the surface area of that concourse. Something went wrong with the building originally and much of the surface had to be redone. It was unsightly for a long time. I felt concerned that it was an unattractive entrance to the city of Perth and would lead to people not respecting the area as they should. I am glad that it has now been done up. For some time I wrote regularly to the City of Perth about that matter asking for

better lighting and for the city to repair the tile surface of the concourse and to generally improve its appearance.

This amendment Bill will also bring about welcome changes. The station concourse, as my colleagues have pointed out, is a good meeting place. It is a walkway and an efficient way of moving people in and out of the city. People can park their cars in one of the car parks in Northbridge and walk across the concourse for easy access into the city of Perth. The area is well used for most of the day. I am one of those who use it regularly. Because of that I am familiar with some of the problems it has had. It must be not only absolutely safe, but also perceived as safe. Those two factors are almost as important as each other.

The perception of safety is particularly important for those older people who regularly use the station. Indeed, a senior citizens' facility is located on the concourse of the station. There must be a strong perception that when those older people go into the city of Perth and use that facility, they are safe and can be at ease. They need to feel at ease using the public transport system, the excellent new rail service, or crossing that station concourse at night. They need to see security officers or regular police patrols and have some kind of assurance that they will not be molested or have any difficulties as they go about their lawful business.

The visible presence of security officers is important, not only on the platform at the base of the escalators, but on the concourse. It is important also that these officers be able to operate properly and do their job as they know it should be done. Under this Bill's proposed changes the officers will be able to operate not only on the station platform and up to the top step of the escalator, but also on the station concourse. It is interesting to understand how this change will take place. It will make their job easier. Instead of having to hand over much of their work to the police, carrying out only citizen's arrests on the station concourse, they will now be able to arrest anybody for an assault or any other violent activity in that crowded and important area.

This week I telephoned the officers concerned with this work to see what sorts of problems they had had lately and how they felt they were handling the job there. They said that most offences do not fall into the most serious category. I am pleased to hear that because, like everybody else, I am concerned that people should feel free to come and go in that area without feeling threatened. Much of the officers' work involves dealing with groups of young people standing around and with offences such as trespassing, loud swearing, scuffling, and offensive behaviour of various kinds, rather than serious assault. It is a relief to hear that. The perception of danger often makes people afraid to be in an area. It is that perception as much as the danger they might encounter which is the problem. I am pleased that this change we are talking about today will give security officers further assistance in doing their job. They will therefore make visitors to the city, and of course the daily commuters, feel better about visiting Perth and walking through it.

The security of this important section of central Perth is vital. Without that it would not be a place anybody would want to go to. That aspect has concerned me for some time. Like all other members in this place, although I represent the residents of the area for which I am the member, the business constituents frequently approach me about various matters. Security of their businesses and the effect of a lack of security, the lack of commercial viability, is something they have approached me about many times over the past two and a half years. I am pleased that any changes we can make legislatively, as we are trying to do today, will make a difference to the security of that area and, therefore, have some effect on the viability of their businesses.

I believe young people have a right to come into the city. I can understand very well people of 15 wanting to gather on the railway station, which is as good a place as any to meet, and see their friends from different suburbs. Equally, just as young people have a right to gather and enjoy themselves in the city, so does everybody else - old and middle aged alike. If a perception exists that gangs of young people are threatening others by their collective behaviour, if they are behaving in a way that others find offensive, that

must be policed and controlled. This is one of the reasons for the presence of those Westrail security officers. It is important for them to be able to carry out their work, not only on the station platforms, but on the concourse which is the gateway to the city of Perth.

This amendment Bill, which will effectively mean that security officers become special "constables" so that they can arrest people for more serious offences and act freely on their own behalf on the station concourse, will greatly add to security in the Perth central railway station and its concourse area. I can only be glad that this Bill is being debated today because it is a matter which has needed to be addressed for some time. It is not the whole answer. I realise there are other matters of security in that inner city area, the CBD, Northbridge and that central station area which need to be addressed in other ways, which perhaps include, extra lighting and more patrols at night. I address these matters, as I always do, to the Minister for Police. The station concourse and its security officers are important in treating one part of the problem. With my colleagues I support this amendment Bill.

MRS ROBERTS (Glendalough) [11.19 am]: This Bill is long overdue. This matter has been of concern particularly to the City of Perth and I note that consultations have taken place with the City of Perth over this Bill. The city station precinct, as everyone here will be aware, has had a lot of problems over the past few years, especially with the personal safety of people and the numbers of assaults and fights. Attention has already been drawn in this debate to some of the fights that have occurred there between teenagers, which have intimidated other people in our community. It is important that this be a safe area for the public. It is a very special entrance to the city. It contains a child care centre, a seniors' centre, toilets, shops and other facilities which should make it conducive for use by the public. Some of those facilities were lacking in the city centre before the station precinct was revamped some years ago.

Unfortunately, Westrail has been loathe to take responsibility for areas outside the station. At this station and in other areas, it tends to look at its defined area of responsibility only and not want to do much beyond that. However, we see in this Bill that at last it has decided to take some responsibility and work with local government, the police and other government agencies to ensure the safety of people in the area the subject of the Bill.

As I said, Westrail does not have a good tradition of cooperating with local government. From my experience with the Perth City Council and from speaking to people involved in other local government authorities, I have become aware of the concerns about the lack of maintenance in areas that belong to Westrail. I have heard many complaints over the years of Westrail's failure to maintain verges, and the approvals that it gives for billboards and buildings within its reserves. In the special heritage precinct in the Guildford area, special efforts are being made to provide bus stops and street furniture sympathetic with the precinct and to put in place special heritage requirements for buildings. In many areas, the railway runs through the centre of towns, as it does in Guildford, and Westrail often does things that are completely out of kilter with work being done to beautify those towns.

As well as looking at security aspects in conjunction with local government and the public, Westrail also must examine the way it presents areas within its jurisdiction in the city. It is my experience in my electorate, and especially in the West Leederville area, that areas near the railway line and stations are not maintained to the standard that people in the area expect. That is probably true also of areas along all railway lines in the metropolitan area. It is especially true of areas along the Midland line. The problem is exacerbated by Westrail's desire to cut costs and core activities so as to not spend the money that it should be spending on these areas. Ultimately, somebody must accept responsibility for these areas. Many local government authorities do all they can. The Bayswater council, for example, does a very good job on its public areas. However, that flies in the face of the way government properties are maintained. Unfortunately, Westrail is one of the worst offenders. If City Beach, Floreat, Wembley and West Leederville that have been maintained by the City of Perth were compared with the way

Westrail maintains the major strip that runs through West Leederville over which it has control, we have some idea of how its areas detract from the areas surrounding them. In my view Westrail could pay particular attention to the areas it controls in the approaches to the city. Although there is a push to cut back some of its core services and to cut costs and deliver only a transport service, it should consider its community obligations and the impressions that people have of it as a corporate body.

I want to draw members' attention to the two stations in my electorate, Glendalough and Leederville. I have been told that, for vandalism and personal assaults, Glendalough Station is probably the worst station on the system, except for City Station. That is a great shame when so much money has been spent on an absolutely first-class rail system and people are precluded from using it because they are afraid. Members have already drawn attention to the fact that some of the people who feel most threatened are the elderly and women. From my experience and from stories that I have heard from constituents and others, it is generally those people who are more aware of the potential dangers. A friend of mine was assaulted at a station further along the line - I think it was Warwick Station - at 6.00 or 7.00 am.

Mr Lewis: That goes against the psychology that, if you build something nice and put a lot into it, people will respect it. You have said that while those stations are first class and they are new and people use them, there is still not enough respect for those facilities.

Mrs ROBERTS: Most people respect the stations. However, I am suggesting that, for a number of reasons, some stations are trouble spots and others are not. As far as I am aware, Leederville Station is not the same trouble spot in relation to personal assaults and vandalism as is Glendalough Station. Attention should be focused on why that is the case. It could be because of the way the stations are designed, how much public supervision is provided and how visible people are at these stations. Many social aspects should also be considered. For example, the Glendalough Station is located in an area that has very few public facilities for young people. There is a high density population around the station and many elderly and young people. I spent some time talking to the manager of the kiosk at the station. That kiosk is attended virtually around the clock by either the owner or somebody on his behalf. I was told that kids, whose parents are working or are not at home for one reason or another, sleep on the benches outside his kiosk at midnight and beyond. These kids are looking for something to do in that area. I understand that the City of Stirling is now taking an interest in doing something for that area. However, it is a difficult situation because there is nowhere else in this high density housing area which verges on the commercial-industrial area of Osborne Park for the kids to congregate. There are no parks, recreation centres, community centres, or other facilities that kids can avail themselves of. The station is the only real public infrastructure in that area and they gather there as a consequence. I have been told about teenagers in the northern suburbs congregating at shopping centres and creating infrastructure. They congregate in those places because they are the only available public space to which they can go because of the lack of other facilities and other social and community problems.

There is also a lot of vandalism at Glendalough Station as there is at City Station. Apparently the glass screens near the bus stop at the station are replaced almost on a weekly basis. The people who see that happening, especially the elderly people who live in the high rise buildings in that area and who use the station in the middle of the day and even then with some concern, see the glass being replaced and wonder how it makes sense to continually replace items that have been vandalised when proper supervision of the area would probably solve the problem.

Leederville Station is reasonably well used and there have been very few reports of assault or vandalism occurring there. I have had cause to write to the Minister for Transport about the litter and other problems at that station. In the last couple of years there has been a problem with the cleaning of the precincts of that station, particularly the walkway areas that lead onto the platform. I was advised by the Minister that the cleaning at that station is undertaken by private contractors. I have written to the Minister on two or three occasions and, to his credit, on each occasion remedial work has

been undertaken. I am very pleased he responded in that way; however, a system should be in place which does not require me or other members of the community to continually draw these matters to the Minister's attention. Westrail should monitor the stations a little better than it does. I am pleased that Westrail is taking greater responsibility for security at City Station; it is certainly long overdue. Westrail should look at smartening up its act at other stations and their precincts in the metropolitan area.

MR D.L. SMITH (Mitchell) [11.32 am]: The primary intent of this Bill is to incorporate into the Forrest Place and City Station Development Act a new section 19A which will enable the special officers appointed under section 74 of the Government Railways Act to exercise their powers over the area known as the concourse which is presently outside their control. Under section 74 of the Government Railways Act reference is made to these people as being railway police. The title is appropriate because that section of the Act states that these officers have all the powers, authorities and immunities conferred on an officer of the Police Force. This Bill is about extending security to some areas in which Westrail officers cannot exercise their security powers. Security is about safety of limb and property within those areas.

It is noteworthy that this Bill comes before the House in the week the Government announced that staffing of passenger rail traffic by Westrail in metropolitan Perth will be reduced by 143 people; that is, by almost one third. In the same week that we are debating a minor Bill dealing with a minor aspect of safety, Westrail effectively sacks one-third of its staff responsible for passenger rail in metropolitan Perth. No reference is made to the impact of that reduction of staff on the safety of passengers carried by Westrail and there is certainly no correlation to the damage that may be effected on suburban rail property because of that reduction.

Of more concern to me is the question of the impact of these recent cuts on safety and security on the railway system in country Western Australia. As part of the announcement of a reduction of more than one-third of Westrail's total work force, 463 jobs in country Western Australia will be lost. Out of that number 220 are in National Party electorates, including no fewer than 64 in the electorate of Merredin, which is the Deputy Premier's electorate.

The major change occurring in Westrail's country operations is the introduction of single man crews. I understand a number of trains will only have one driver and that the position of driver's assistant will be abolished. On some trains there will, in effect, be two drivers, but one will be on duty and other will be off duty.

The DEPUTY SPEAKER: Order!

Mr D.L. SMITH: Mr Deputy Speaker, has the Minister given you a message? It is disgusting!

The DEPUTY SPEAKER: Order! The member for Mitchell will resume his seat.

Mr D.L. SMITH: The Minister left his seat and went up to the Chair with a note for you, Mr Deputy Speaker and you rose to intervene. If he wants to make a point, he should do so in the proper way.

The DEPUTY SPEAKER: Order! I formally call the member for Mitchell to order. I asked the Clerk for a copy of this Bill so that I could have a look at its contents. The Minister handed me nothing. The reason I am on my feet is to indicate to the member for Mitchell that during the second reading debate I will allow a wide ranging debate on matters pertaining to the Bill, but I expect members to address their comments to its contents.

Mr D.L. SMITH: I emphasise that this Bill is about an amendment to the Government Railways Act. It increases the powers of the special officers to cover an area and that is with a view -

Dr Hames: You should apologise first.

Mr D.L. SMITH: I am not apologising at all. I know how this place is run.

Mr Lewis: I did not speak to the Deputy Speaker.

Several members interjected.

The DEPUTY SPEAKER: Order! There is absolutely no need for members to be interjecting across the Chamber. If interjections persist, I will formally call to order the members involved.

Mr D.L. SMITH: The basic issue in relation to this Bill is the question of safety and security around the Perth railway station. I would be amazed if a country member, in the course of debate on the safety and security of the Perth railway station, cannot raise the issue of safety and security in the country Westrail network. If that is the stage that this Parliament has reached, I am very concerned about the capacity of members of Parliament to represent their electorates in the appropriate way.

The primary change being effected in the country railway network is that the position of driver assistant is being abolished. There will be single driver trains, but on longer journeys there will be two drivers. One of the drivers will drive the train for the maximum time he can safely drive in his shift and the other driver will, in effect, undertake the duties of a driver's assistant. At the end of the shift they will swap positions. The impact of the move to single driver trains -

Points of Order

Mr LEWIS: The standing orders are very clear. This Bill is a three clause Bill. It is about extending the powers of the Westrail patrol officers to 45 metres across Wellington Street. This will allow them to carry out their duties without the possibility of litigation being brought against them because of a civil offence that may be deemed to be committed while carrying out their duties. It has nothing to do with drivers or the country rail system; it is about defining, geographically, the extent of the ability of the Westrail patrol officers to carry out their duties. Mr Deputy Speaker, I ask that you request the member for Mitchell to direct his remarks to the Bill.

Mr KOBELKE: The Minister implied that the brevity of the Bill indicates the subject matter is also very narrow. That is not the case. If a Bill were introduced in this place which in one sentence repealed an Act, all the matters in that Act could be debated. In this instance, the key issue in this Bill is the functioning of our railway system and the safety of commuters and patrons of that railway system. Therefore, the issue that must be debated is the effectiveness of this legislation for the functioning of that railway system and the safety of commuters. Any matter that pertains directly to the quality of service offered is relevant to this Bill.

The DEPUTY SPEAKER: I have had a chance to read the Bill quickly and I take the point made that a fairly thin line can be drawn between the matters raised and the Bill. The Chair will extend a degree of latitude to allow people to make their points. However, I also take the point that this Bill deals with the safety of people using the railway system in the vicinity of the areas described in the city of Perth. Although I extend some latitude to the member for Mitchell, I call upon him to make sure his comments are pertinent to the safety issues covered by this Bill. Should the member for Mitchell move to different issues, such as the whole of the Westrail system and industrial relations matters, that will be unacceptable.

Debate Resumed

Mr D.L. SMITH: I seek your guidance, Mr Deputy Speaker. Am I constrained in the debate to speaking on safety and security in the Perth railway network, and am I not allowed to speak on the railway network in general?

The DEPUTY SPEAKER: I suggest that the member continue his speech.

Mr D.L. SMITH: That dramatic reduction in the work force that controls trains in country Western Australia will not only impact on the economy of all local communities, but also will dramatically reduce the safety of the public when they cross railway lines and are in the proximity of moving rail trucks. In addition, it will present industrial safety problems for those required to load, unload and shunt trains in country areas. The

reductions announced this week include 143 positions on the metropolitan passenger network. We have not been told what those 143 positions entail and whether any relate to positions, the loss of which may impact on the safety of property and persons in the vicinity of the railway lines in the metropolitan Perth passenger network. As this Bill is the first introduced in this Parliament dealing with the Perth passenger rail system since these cutbacks were announced, the Minister has a responsibility to indicate how many will in any way impact on the safety and security of people and property in and around railway lines in metropolitan Perth. He should give a guarantee that there will be no reduction in safety and security around metropolitan Perth, or in country areas as a result of this decimation of the railway work force in country areas.

I went to the railway's Christmas social function at Bunbury in December last year, and more or less gave an assurance that the Government could not effect any more cutbacks to the railway system. I especially said I did not think the Government would introduce single driver trains without drivers' assistants because it would be unacceptable to the public at large, bearing in mind the security and safety implications it would have for the railway network. Clearly, I must write a letter of apology to those people, as their parliamentary representative, saying that I completely misjudged this Government with regard to further cutbacks in the railway work force in the south west of the State. In effect one-third of the railway work force in the south west will be lost as a result of the most recent changes. The area of greatest loss will be the abolition of drivers' assistants. The other area of loss is in the civil maintenance section of the railway line in Bunbury and the south west. The work force in the civil maintenance section will be reduced from 56 to 20. Those 36 positions will be lost on the country network. The civil maintenance crews are responsible for inspecting the railway line and its supports to ensure the line is maintained in a safe condition. One of the areas affected by that reduction in the level of maintenance will be the *Australind* passenger service from the Bunbury railway station to the Perth railway station. I simply cannot believe that the south west rail network can be properly maintained with a permanent work force of 20, and that it can maintain properly safety standards not only on the freight network which is used mainly for ores and woodchips -

The DEPUTY SPEAKER: Order! I have requested the member for Mitchell to consider the Bill and to make his remarks pertinent to the Bill. To this point I have allowed a wide ranging debate, but I feel he is now moving from the content of this Bill. I ask him to debate matters pertinent to the legislation.

Mr D.L. SMITH: The safety of people leaving the Perth railway station will include the safety of passengers who have arrived on the *Australind*. I do not know how the safety of passengers exiting the railway station in Perth is any different from the safety of passengers on that train travelling from Bunbury to Perth. Their journey begins at Bunbury and finishes at the concourse of the Perth railway station. How can one speak about the safety and security of those passengers on one part of the trip and say that their safety at other stages of the trip is not relevant?

Mr Lewis: Are you serious?

Mr D.L. SMITH: Yes, I am serious. I suggest that the Minister look at the rules in this place about relevance. The second reading debate is not a narrow debate. Members are entitled to raise matters that relate to the general subject matter. The subject of this Bill is railways, and members may raise general questions about changes in that area.

Mr Johnson: You have not spoken to the specific issues raised in the Bill.

Mr D.L. SMITH: I have.

The DEPUTY SPEAKER: Order!

Mr D.L. SMITH: It is obvious from the comments of members opposite, particularly metropolitan members, that they are not the least bit interested in the cutbacks in railway employee job numbers and the impact that will have upon the safety and security of passengers and railway staff. Mr Deputy Speaker, I will not persist in view of your direction, but I say to the member for Dianella, who is a medical practitioner, that I hope

when the reductions in job numbers on the country rail network start to impact on hospital admissions, some of his colleagues will rightly remind him that he thought it was a joke when I raised these matters in the Parliament. The safety and wellbeing of customers and staff of Westrail is extremely important. The Government is cutting back in that area for the sake of its philosophical view about what work should be done by the private sector and what work should be done by the public sector and to save a few dollars out of the \$6b that it must spend each year. That says a great deal about members opposite, particularly metropolitan members, because they do not seem to understand, as I hope the country members in this place do understand, what effect the loss of 220 jobs in those country electorates will have on the general wellbeing of the communities which the National Party members in this place are supposed to represent. It is of enormous concern to me that 84 jobs will be lost at Bunbury -

The DEPUTY SPEAKER: Order! I remind the House that when there are interjections from members which draw the attention of the speaker and leave the person on his feet to deal with matters other than those contained in the Bill, it is not helpful to the conduct of the business of this House. I ask the member for Mitchell to direct his remarks to the Chair, and I remind him again that he needs to return more closely to the matters in the Bill.

Mr D.L. SMITH: The 30 page glossy document that was released by Westrail and the Minister for Transport earlier this week does not indicate the functions which will be removed from Westrail staff as a result of these changes, nor the impact that will have on the safety and security of Westrail customers and staff. It is a great shame that when about one-third of the Westrail work force, and almost all of the Westrail staff at Merredin -

Mr Cowan: Wrong again - 64 out of 126.

Mr D.L. SMITH: It is a great shame that the Minister for Transport is in the other Chamber and not in this place and that the Deputy Premier does not think it is relevant to provide the details in that document. I am referring particularly to the crucial issues of who will drive the trains, who will manage the trains while they are in motion, who will manage the trains while they are being loaded, and how the lines will be maintained in proper condition while the trains are running across them, as a result of the privatisation of the civil maintenance side of the rail network. Those matters are of enormous importance to my electorate and to the future of that great Western Australian institution, Westrail. I appreciate that at least some members in this place have given me an opportunity to raise these matters in regard to this Bill.

DR HAMES (Dianella) [11.55 am]: I will address a number of the issues raised by the member for Mitchell, particularly his divergence from the Bill to address issues other than those which relate to people who are working for Westrail, and his implication that I should take some responsibility for those people who might in future lose their jobs in Westrail. I point out, as was said by the Deputy Premier by way of interjection, that these people will not lose their jobs. They will be able to find jobs in other areas or take a generous redundancy package.

The DEPUTY SPEAKER: Order! We have just had a good example of why we should not allow members to stray too much from the Bill, because I have now to remind the member for Dianella that he needs to keep his remarks pertinent to the Bill. I know he has been speaking for only a minute, but I remind him of that.

Dr HAMES: Thank you, Mr Deputy Speaker. I did not want to spend a lot of time talking about the Bill itself, largely because on many occasions you drew the member for Mitchell's attention to what was in the Bill and on many occasions he went well beyond that. You are correct in saying that he covered other issues. In particular, he directed some remarks to me, and I wanted to make some comments about that. However, you have since directed that despite the member for Mitchell's indiscretions, I cannot do that, so I will resume my seat.

MR LEWIS (Applecross - Minister for Planning) [11.57 am]: I thank the member for

Dianella for standing in for me when perhaps I should have been here, but I was on the telephone getting some information for the member for Kenwick. The member for Mitchell obviously thought he would try to put me in a bit of spot -

Mr Kobelke: Are you suggesting that the member for Mitchell's powers of creativity are so great that you had expected him to go the full time?

Mr LEWIS: I thought it was something to which he was addicted! It is quite unusual for the member for Mitchell to not go the full time.

I thank members opposite for their support for the Bill. As I have said by way of interjection and on a point of order, this is a simple piece of legislation and it generally has nothing to do with the ambit of the debate with regard to the safety of trains, crewing on trains, staff being repositioned in the country, and other matters. It is simply about giving power to patrol officers and special constables of Westrail to enable them to carry out their duties on the concourse that is directly contiguous to Perth railway station.

As the members for Maylands and Armadale pointed out, a certain amount of intimidation is occurring on our railway stations. Of course, bearing in mind that Perth central is the principal station in the electrified grid, the intimidation also extends from what could be called the railway station precinct, which is the concourse. The concourse is associated with it, but unfortunately the legalities of it are that the station is identified to exist only on the town lot as identified in the Bill, which is Perth lot 969. The Bill simply gives these officers the ability, in the legal sense, to do their duties. If they were not given the legal ability to do their duties, it is possible that a Westrail officer or special constable who made an arrest for something that may have occurred within that concourse precinct, could - and I emphasise "could" - face civil litigation by the person against whom they took action.

I thank the members who contributed to the Bill and I commend it to the House.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Ainsworth) in the Chair, Mr Lewis (Minister for Planning) in charge of the Bill.

Clause 1: Short title -

Mrs HALLAHAN: In the course of the debate the member for Glendalough referred to one of the stations in her electorate, on the Joondalup line. The Minister for Planning interjected in a way that suggested that he believed that any graffiti or damage to public property meant that the building of public facilities of a fine standard, such as railway stations, did not attract respect. There was a challenge to research that showed that if we provide good facilities people will respect and take care of them. We have that situation at the Forrest Place and City Station development. It is quite a fine community facility. It is not only a good, attractive space, as I have said, but it has very functional uses in linking the central Perth area.

I want to hear from the Minister for Planning, who has a central responsibility for the development of public buildings and spaces and, indeed, the development of art forms and the cultural precincts that go with them. I would be very disturbed if this is one of the early indications of the Government's pulling back from around public buildings, particularly relating to public transport.

The DEPUTY CHAIRMAN (Mr Ainsworth): We are debating the short title of the Bill. All of the things the member has spoken about to date are somewhat separate from the question of whether the title of the Bill should stand as printed or should read some other way. I ask the member to confine her remarks to the clause we have before us.

Mrs HALLAHAN: I am happy to do that. The short title states -

This Act may be cited as the Forrest Place and City Station Development Amendment Act.

I thought that what I said was quite pertinent in my drawing out -

Mr Lewis: "Drawing out" is the right term.

Mrs HALLAHAN: - to the Committee's attention -

Mr Lewis interjected.

Mrs HALLAHAN: I have very serious concerns about this; the Minister should not misjudge me. The Forrest Place and City Station development is outstanding. I said that in the course of my speech. The Minister should not underestimate the strong feeling I have about that and my belief that governments should have a strong commitment to provide fine public spaces and facilities. I inferred from the Minister's interjection on the member for Glendalough that he was putting forward a rationale to build very poor public facilities, because he did not believe the dictum that if one builds good facilities, people will respect and look after them. He was making the case that people would not look after the railway station -

Mr Lewis: I made no case.

Mrs HALLAHAN: The majority of people do.

Mr Lewis: Don't put words into my mouth.

Mrs HALLAHAN: The Minister has just reiterated it.

The DEPUTY CHAIRMAN: Order! The points the member makes may have great validity in other areas of debate, but they are not pertinent to the clause in front of us, which is, I remind her, the title of the Bill. If we are going to discuss the condition of railway stations from one end of the State to the other, which is quite possible given the scope she has given herself, we could be here all day and all night. I ask her to confine her remarks to the title of the Bill. There is an opportunity for those more general remarks to be aired at other stages of the Bill, the third reading for example.

Mrs HALLAHAN: I take your advice. I make the point that railway stations in my electorate are very central to my concerns; they are my responsibility as the local member.

Mr Lewis interjected.

Mrs HALLAHAN: I am just making the point - just wait for it - that I have not referred to those places. They are of very great interest to me and central to my concerns, both as the shadow Minister for Transport and the member for Armadale. However, I have not taken this Bill to extend to my electorate, so I resent the comment that I have taken a liberty with the extent to which I can speak on this Bill. I am making the point again because I have said City Station is a fine public space. It links other publicly created spaces - spaces created with public money and put in place by governments, both local and state, and with the assistance of finance from the Federal Government. These are all bodies acting on behalf of this community and creating a very fine facility in the middle of this city. I find quite unbelievable the attitude of the Minister not to recant on what he has said. He has not recanted. He has said that it is true: People damage buildings, so the answer is not to spend money on them. Under that philosophy, we will be living with facilities that would not be built in a developing country. This is a serious problem. We expect first-class facilities in our community. Such facilities were provided under a Labor Government and we want them to continue to be provided under a Liberal-National Party Government.

Clause put and passed.

Clause 2 put and passed.

Clause 3: Section 19A inserted -

Mrs HALLAHAN: During the second reading debate I raised some issues. I expected the Minister to deal with those issues in his response at the close of the second reading debate. I asked a question about the extent of the concourse area. I thought the Bill was such a simple one that the Minister could address his mind to the matters contained in it.

The Bill only has three clauses - I do not know how he would deal with a Bill containing 90 clauses. He did not respond to my questions. I referred to the area outlined in proposed section 19A(1)(a) and (b). I asked if the area covered Wellington Street. I presume that it covers the overpass at the eastern end of the railway station but not the western end. I seek confirmation. My inquiry was reasonable and general. Members have a right to ask such questions.

My second question was of central importance: Will Westrail security staff be increased to deal with the extended area for which they will be responsible? I recall that the Minister was very impatient with the inquiry. This week 1 345 jobs were axed from Westrail. I do not recall if I wove that point into my question at the second reading stage. Perhaps I did, and perhaps the Minister reacted to that. Will additional Westrail security staff be provided to cover the extended area? This is a serious matter. I seek the Minister's response because I gave him fair warning at the second reading stage, and I thought he would respond at that stage. He did not do so.

Mr LEWIS: I refer the member to proposed section 19A(1)(a) and (b). The intent is to extend the powers over what is called the concourse area. The meaning is as stated: It is within the Perth town lot running between Roe Street, Barrack Street and Wellington Street over the railway line. It is the physical concourse as constructed. Paragraph (b) reads -

within Perth lot 978 and extending over Wellington Street from Perth lot 969 for a distance of 45 metres.

It is those concourses across Wellington Street for a distance of 45 metres.

I do not see that the provision of additional staff has anything to do with the Bill. I do not know whether additional staff will be provided. That is a management matter for the administration of Westrail. In that regard I cannot comment.

Mrs HALLAHAN: By his manner, the Minister has indicated that he does not have any respect for my questions. In a dismissive way he said that he thought that the provisions of proposed section 19A were clear.

Mr Lewis: You are filibustering, and you know it!

Mrs HALLAHAN: I am not. I think the Minister has misled the Chamber -

Several members interjected.

The DEPUTY CHAIRMAN (Mr Ainsworth): Order!

Mrs HALLAHAN: The Minister said that is clear. He referred to paragraphs (a) and (b) - and he said they mean this and that. He referred to concourses over Wellington Street. The Bill does not state that, and that is the reason for my question whether it covers the walkway over Wellington Street at the eastern end. The Minister has access to information and diagrams. I do not have a diagram. I want the Minister to indicate clearly that the area covers one concourse at the eastern end and not at the western end which goes from the Horseshoe Bridge. The Minister referred to concourses over Wellington Street. The Bill refers to one concourse over Wellington Street.

Mr Lewis: Across the area.

Mrs HALLAHAN: Would the Minister like to make an inquiry? I do not think he is informing the Committee accurately. Had the Minister listened to what I said at the second reading stage and addressed the Bill, he could have made an inquiry and provided the information in 10 seconds at this stage. For God's sake, that is what the Committee stage is all about.

Mr Lewis: It is not. It is about debating clauses of a Bill, not going to extraneous matters like how many people are employed.

Mrs HALLAHAN: I am not talking about staff being employed now. I am talking about the area of the concourse. I have asked questions about the staff but the Minister has not responded. Will the Minister please convey to the Minister for Transport the fact that

during debate in this place concern was expressed about the provision of additional security staff at Westrail to take on the responsibilities that come with the extended area? Obviously, the Court Government does not care a fig about anyone - the passengers or the pedestrians.

Mr Shave: Stop grandstanding!

Mrs HALLAHAN: I am not grandstanding. The member is an absolute log who contributes nothing, so he should keep quiet!

The DEPUTY CHAIRMAN: Order!

Mrs HALLAHAN: At the Committee stage the Minister does not want to provide information. When I was a Minister I dealt with any question. Perhaps in the other place we did not have the numbers, so we had to be very careful about providing information, to convince members to vote with us. Perhaps that was a strong discipline for me, as a Minister. Clearly, current Ministers have no such commitment or discipline. I question the area covered by the Bill, and this matter is essential to this clause. Members who have interjected should read clause 3. I am addressing the content of the clause. The Minister said that the Bill covers concourses over Wellington Street. I am saying that it covers only one concourse over Wellington Street. I seek clarification. The Minister will not provide it. I am not being unreasonable. Members who try to paint that picture are either trying to protect an incompetent Minister or they have not addressed the contents of the Bill or the seriousness of it.

Will the Minister say that he will, at least, record my concerns and take them to the Minister for Transport? It would have been a political and sensible thing to say, this week of all weeks, when the Government has axed the staff of Westrail by 25 per cent, that Westrail will have the capacity to police the expanded area. This Bill will expand the role of Westrail security staff, but the Government will not give extra staff. The Minister could say at least that he will mention it to the Minister for Transport and take this opportunity to take off the record his comment that there are plural walkways, because I believe there is only one.

Clause put and a division taken with the following result -

Ayes (27)		
Mr C.J. Barnett	Mr Johnson	Mr Shave
Mr Board	Mr Kierath	Mr W. Smith
Mr Bradshaw	Mr Lewis	Mr Strickland
Dr Constable	Mr McNee	Mr Trenorden
Mr Court	Mr Minson	Mr Tubby
Mr Cowan	Mr Omodei	Dr Turnbull
Mr Day	Mr Osborne	Mrs van de Klashorst
Mrs Edwardes	Mrs Parker	Mr Wiese
Mr House	Mr Pandal	Mr Marshall(<i>Teller</i>)
Noes (18)		
Mr M. Barnett	Mrs Hallahan	Mrs Roberts
Mr Brown	Mr Kobelke	Mr D.L. Smith
Mr Catania	Mr Marlborough	Mr Thomas
Mr Cunningham	Mr McGinty	Ms Warnock
Dr Gallop	Mr Riebeling	Dr Watson
Mr Graham	Mr Ripper	Mr Leahy(<i>Teller</i>)
Pairs		
Mr Blaikie		Mrs Henderson
Mr Prince		Mr Bridge
Mr Nicholls		Mr Grill
Mr Bloffwitch		Dr Edwards

Clause thus 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.

MR LEWIS (Applecross - Minister for Planning) [12.25 pm]: I move -

That the Bill be now read a third time.

MRS HALLAHAN (Armadale) [12.26 pm]: We had a most unfortunate saga on a very small Bill containing only three clauses. Some inquiries were made during the second reading debate which were not responded to by the Minister for Planning. During Committee I again raised two issues, one of which was central to the clause in question, and the Minister did not respond. The Minister had an opportunity to respond to my inquiries during Committee, but he did not get off his seat and make any conciliatory or informing noises; that is why a division was called on that clause. When I was a Minister in the other place - admittedly I was in a House where we were in government and did not have the numbers - I went out of my way to provide information on anything that members raised in an attempt to get legislation passed, knowing that if we upset members opposite or treated them in a dismissive or arrogant way they had a capacity to obstruct legislation. It is very clear that there is no decency or discipline in the Ministers of the Court Government when the Minister cannot get up and say that he has made an error, that he does not know what I am talking about and will find out, or that he does not believe Westrail needs more staff but he will convey to the Minister for Transport the fact that the Opposition spokesperson believes that more staff are necessary to cover the additional area that will come under the responsibility of Westrail. None of those things happened.

The Minister referred to plural concourses over Wellington Street. It is my contention that the Bill covers only one walkway over Wellington Street, and when I first spoke on it in the second reading debate I was not clear and sought clarification. The Minister could hear that I was a little uncertain and was raising a genuine point of interest. I raised the point again in Committee and I had some very unhelpful interjections from government backbenchers which I did not appreciate and which did not add anything to the discussion. The Minister had an opportunity to respond and to say that he would advise the Minister for Transport of concerns mentioned in the debate about staffing for the increased area to be policed. I think the Minister is clear in his head about what the clause means, but I am not sure and he did not try to make it clear.

This is an extraordinary position for such a simple, straightforward matter. The Government is taking actions about which it is not informing itself and for which it does not take seriously its responsibility. It is such a terrible indication of things that are happening in a much larger decision making process. I have in mind the 1 345 workers at Westrail whose jobs are to be axed. They were not shown any courtesies. The Right Track program has been drawn up in a most secretive way, contrary to what the Premier advised this House. This comes down to the way in which Ministers treat even the smallest of matters, with which they could be very thorough and conciliatory, and could serve the community in the way in which we all expect. I indicate - I have said this before - that we have some concerns about the expansion of the policing responsibilities for Westrail. Westrail does not have the resources to do it. They have been slashed by 25 per cent this week. I have asked for details of the technicality concerning the space that is to be extended by this Bill, which is not accurately set out before the House. Prior to having those matters made clear to me, I said that the Opposition supports the Bill. I think some of the bureaucrats behind this Government did know what they were doing when they put this Bill together and I take on, in good faith, what is covered in it. We certainly have not had clarity from the parliamentary representatives of the Court Government. I do not appreciate that and neither would any other Western Australian.

MR LEWIS (Applecross - Minister for Planning) [12.31 pm]: The member for Armadale has come in here deliberately to filibuster. Notwithstanding that, the member

talked about the concourse in Wellington Street as though the Bill referred to it in the singular. If the member had read the Bill, she would have seen that proposed new section 19A(1) refers to pedestrian concourses - in the plural. Through the contrariness of the member for Armadale, the Opposition has voted against a government measure to improve the security and safety at Perth central railway station.

Mrs Hallahan: It will not be safer without more staff.

Mr LEWIS: The member called for a division and she locked her colleagues into voting against a government measure that was intended to ensure the safety and security of people at Perth central station. That is what she did in her silliness to have a division. No more need be said except that it should go on the public record that the Labor Opposition voted against the government Bill to improve the safety and security of the public in the Perth central railway station.

Several members interjected.

The ACTING SPEAKER (Mr Ainsworth): Order!

Mrs Hallahan: You don't know anything, you donkey.

Mr Shave: Come to order!

The ACTING SPEAKER: Order!

Mrs Hallahan: Who the hell do you think you are?

The ACTING SPEAKER: Order! I have called the member for Armadale to order three times. I think my voice is loud enough for her to hear. I ask that she take notice of the Chair.

Question put and passed.

Bill read a third time and passed.

LAND, PARKS AND RESERVES AMENDMENT BILL

Second Reading

Resumed from 9 December 1994.

MR KOBELKE (Nollamara) [12.34 pm]: This Bill outlines three quite discrete matters; the granting of perpetual leases to Aboriginal communities; the removal of unauthorised structures on Crown land; and amendments to the Parks and Reserves Act relating to boards. In introducing this Bill the Minister indicated that it was necessary to bring forward these amendments because they require some priority. They were part of a larger legislative move which we would see when a new Land Administration Bill was brought into this Parliament in the near future. The Minister indicated that he hoped that would be introduced next year. In his response, I hope the Minister will give us firmer information about when that will be.

The Land Administration Act has been delayed which has required these amendments to be brought forward. The second reading speech indicated that the current drafting was initiated in March 1993, two years ago. I am not implying any criticism of that. That process of reviewing and updating the legislation which controls land administration in this State started under the Labor Government. This Government came to power and indicated that it would take up that project. In its first Budget, funds were available to the Department of Land Administration and a new section was established within the department to deal with the preparation of legislation.

In the second Budget of the Court coalition Government that money was taken away completely and the project seems to have been put on a slower path for some time. Hopefully the matter will receive some priority now, and we will wait to see when the legislation comes forward. In his response I hope the Minister will be able to give us something a little more definite in that regard. I understand that he is not the Minister for Lands, but that he has the responsibility for that area in this place.

Mr Lewis: What is the specific question?

Mr KOBELKE: Will the Minister be more definite about when we will see the new land administration legislation for which these amendments have been brought forward because there has been some delay. These matters rightly rest within the new legislation, and that has been said in the second reading speech.

I will touch briefly on the major piece of legislation that we are yet to see. I hope the Government might be willing to consult openly and widely in the final stages of the preparation of the Bill. We are dealing with a fundamental piece of legislation. Land administration and the forms of land tenure in this State are absolutely crucial to a whole range of activities, whether they be business and commerce, the provision of facilities in our community, or the rights of individuals with respect to their homes. It is important that we get this piece of legislation correct.

In the months since the start of work on the local government Bill we have seen quite a lengthy process of consultation in the community. People have been involved in the major decisions being made in setting the policies on which that legislation is based, and discussing the details of the draft Bill. Another example of that consultation process is the water Bill. Work has been undertaken in the drafting of the water Bill for 10 years or more. I served on a select committee, along with the now Minister for Planning, which looked over the Bill. The now Minister indicated at that stage that he was not happy with the level of consultation that took place. The Water Authority of Western Australia was sent away at that meeting to carry out further consultation before it came back to the committee.

The Bill did not go anywhere because the Government which was then in opposition, particularly the current Minister for Planning, held a very different view on one or two crucial issues. As a result of opposition on major points by the conservative parties, which had the numbers in the other place, the Government did not bring back that legislation. The Government of the day felt there would not be much good served by having lengthy debates on a Bill when those major component parts supported by the Government would not get through. That is an example of a major Bill which has a number of parallels with the land administration Bill. That legislation was given considerable consultation. Unfortunately that Bill did not proceed through Parliament. We hope the land administration Bill will have the necessary consultation and public support so that its passage through this Chamber will receive the support of this side of the House and will be undertaken without any unnecessary delay. However, if adequate consultation does not occur prior to the introduction of that Bill, its consideration in the Parliament will have added difficulties.

When the Land, Parks and Reserves Amendment Bill was second read in this Chamber I wrote to a number of industry and community groups seeking their views on it. I did not know whether consultation had occurred with Government. I wished to take advantage of their expertise in areas covered by the provisions of this Bill. Although most of those groups did not reply, those I did hear from indicated they had no problems with the legislation. I am assuming that as the other groups did not reply, they did not have time to consider the legislation or they found it contained nothing adverse to their interests and, therefore, did not reply to the copy of the legislation I sent to them. The first major area of amendment in the Bill relates to the granting of perpetual leases to Aboriginal communities. We are amending section 9 of the Land Act by deleting a part which reads -

may if of opinion that any such person is or is liable to be at any disadvantage with respect to any application for or the acquisition of land under the provisions of this Act, because of his descent grant or lease

That small section is to be removed and to be replaced with -

May for the purposes of advancing the interests of any such person lease, whether for a fixed term or in perpetuity, or grant

We are removing that rather patronising wording in the legislation which reflects that

Aboriginal people in the past - and in the future - have been seen as disadvantaged. There is no need to reflect that in the wording of the legislation. That is replaced by "advancing the interests" of the people involved. An earlier section of the legislation refers to persons descended from the original inhabitants of Australia; that is, the people who can be granted land or have leases of land under this amendment. It also indicates there can be perpetual leases. Under the Land Act, that provision does not exist. This Bill deletes another part of the same section 9 -

Not exceeding the area prescribed for a selector by the provisions of section 47.

That section limits the amount of land that can be leased to a selector. That limitation is not to apply according to the amendment in the Bill.

In stepping aside from the elements within the Bill, I will give some background to this matter. In the 1980s the Burke Government moved to try to fulfil an election promise and create a legislative base for land rights in this State. However, although all the various interest groups, other than the conservative political parties, were canvassed and brought on side, it failed because the conservative parties at the time thought it was of some political advantage to block those land rights. Following that decision, the Burke Government made it very clear that it would not proceed with any legislative move to establish land rights. Although that might have been seen as a backdown - I know many Aboriginal people felt they had been betrayed - the basis for that decision was firm. The racism and enmity stirred up by people campaigning against land rights impacted adversely on many Aboriginal people.

I remember speaking to an Aboriginal woman in Northam at the height of the controversy about legislating for land rights. She made it clear to me that she felt she was being victimised as a result of the high profile that was being given to land rights. She even indicated that when she walked down the street some white people who previously would have greeted her and been friendly would not speak to her because such enmity was being whipped up in opposition to land rights. It therefore made good sense for the Burke Government to say at that stage that it was trying to look after the interests of Aboriginal people. Although land rights were important and something that that Government wished to put in place, the political forces in this State, which would stop at nothing to gain a political point, would have attacked Aboriginal people if that matter was placed back on the agenda.

A political decision was made that the Burke Government would not revisit land rights in the form it proposed. However, it put in place forms of land tenure which would enable Aboriginal groups throughout the State to claim some land as their own and to feel they had a legal right to that land which they had regarded as theirs since the Dreamtime and the dawning of human settlement in Australia.

Arrangements were made for 99 year leases to be granted to a range of Aboriginal groups, thus providing them with a form of land rights. This Bill is revisiting that same area. I do not have the legal expertise to comment on the exact effect of this change regarding perpetual leases. The Minister handling the Bill, not being the Minister responsible, may also have some difficulties, although I acknowledge that he has a considerable knowledge of land title matters and it is quite likely his knowledge of that area is superior to mine.

We are changing a very important area. As I indicated, through the 1980s the Labor Government was able to make a major move to providing forms of leases to Aboriginal groups. That may have been through this legislation, but there are other legislative bases by which land grants or leases can be made. The Minister may wish to use what I am stating quite openly as something with which to attack us, because the Minister has said previously, "We are doing something and you did not." That brings me back to the point I made a little time ago. The Labor Government from 1983 to early 1993 never had a majority in the other place and, therefore, whatever legislation was brought forward was always considered in the light of what would happen to it when it was introduced into the Parliament. This Government does not have to consider that. We saw perhaps a little example of that in how the previous Bill was dealt with. When one has the numbers in

both Chambers one can look at the technical aspects of legislation and put it forward. When we were in a Government which had a huge percentage of votes in 1983 and 1986 and a clear majority in this Chamber we did not have the numbers in the other place. We had to consider that legislation with a view to its passage through Parliament. Although we certainly would have liked to tidy up some of these areas, we were very much aware of the bitter campaign waged against us over land rights. Therefore, we were not in a position where we might have looked at fixing some of these matters before us in this amending Bill. I am accepting the word of the Minister and the briefing the Government provided to us that technically this Bill is doing what the Minister purports it is doing; that is, advancing the current legislation in respect of the Land Act 1933. It does it in major ways. It provides for a perpetual lease of land and also removes some rather patronising wording relating to the granting of land to Aboriginal people.

My second question is this: As it would appear that these provisions will now make it easier to convert certain pastoral leases to perpetual leases for Aboriginal groups, will the Minister indicate whether the Government seeks to do this and give us some idea of the number of communities which might be taken up in a move to convert pastoral leases to perpetual leases? This will not necessarily apply to areas which are clearly pastoral leases. However, some Aboriginal groups in order to establish their home area have resorted to the use of pastoral leases. It may be that, through this amendment, a number of those groups will be able to convert to perpetual leases if it is their desire and the intention of the Government. Two communities have been in discussion with the Government over the establishment of perpetual leases. They have been held up awaiting the passage of this amendment. They are the Ngarluma on Mulga Downs not far from Wittenoom and the Jinparinya Aboriginal Corporation at Pippingarra station near Port Hedland. I would appreciate it if the Minister were able to give details. Why is this amendment so relevant to those communities and what advances will this mechanism provide to the granting of those leases in those two cases? There was mention of other communities involved, but I do not know any details regarding them.

I will turn briefly to the first major thrust of this amendment. In granting land or leases to Aboriginal people there have been provisions for the granting of such leases in the Land Act since 1898, which were there so that Aboriginal people were not seen to be disadvantaged when applying for land. The section we are amending in the Land Act refers specifically to Aboriginal people. As I indicated, the land area under this section of the Act is restricted to 4 000 hectares and this amendment is removing that restriction. The result will be to give greater flexibility so that leases in perpetuity may cover greater areas of land. I do not know whether there are any examples of where that restriction has been applied. During the briefing we were given the experts were not aware of any examples. The amendments here are to provide for grants of land or leases, including leases in perpetuity, for the advancement of Aboriginal people. The Task Force on Aboriginal Justice is supporting the establishment of freehold title and perpetual leases. This amendment will be seen to be in accordance with that.

One major concern with this amendment is that when the move was made to introduce it into the House to amend section 9 of the Land Act it was to be used in conjunction with section 41 of the Land (Titles and Traditional Usage) Act 1993. That would have allowed the Minister for Aboriginal Affairs to make arrangements with the Minister for Lands to grant title to Aboriginal people. Given the High Court decision which would seem to have struck down that whole piece of legislation, there is a major question over the effectiveness of the amendment being made. The Land (Titles and Traditional Usage) Act appears to have been struck down in total or at least placed in a state of limbo.

Mr Lewis: This amendment stands alone.

Mr KOBELKE: When this legislation was drafted and introduced into this place it was seen as being necessary to be used in conjunction with the Land (Titles and Traditional Usage) Act. Given the doubt, to put it mildly, over the validity of that Act and given its existence, if any -

Mr Lewis: These amendments will stand alone.

Mr KOBELKE: I am not suggesting to the Minister that these amendments - which, I repeat, the Opposition is supporting - will not stand. What has happened to the Government's intention to use these amendments in conjunction with the Land (Titles and Traditional Usage) Act, which is now of dubious validity as a result of the High Court decision? Some major components have been struck out, but it may be that some residual powers remain within the Act. I do not know. I do not know if the Government knows. It was clearly stated by the Government its intention in bringing forward the Land (Titles and Traditional Usage) Act to make such grants of land. Then we had these amendments brought forward with the intention that they would be used in conjunction with the Land (Titles and Traditional Usage) Act.

Mr Lewis: The amendments are to enable the Government to make land grants and leases available to those communities. It has nothing to do with the Land (Titles and Traditional Usage) Act.

Mr KOBELKE: The Minister should try to get his facts straight. I do not think he is right. We need to deal with this rationally on the basis of fact. We do not want to end up in a bun fight.

[Leave granted for speech to be continued.]

Debate thus adjourned.

[Continued on p 2827.]

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

MATTER OF PUBLIC INTEREST

THE SPEAKER (Mr Clarko): I have received in the prescribed time a letter from the member for Morley seeking to debate funding cuts to peak organisations assisting people in need. The matter appears to be in order and if at least five members stand in support of the matter, it shall proceed on the usual basis.

[At least five members rose in their places.]

The **SPEAKER**: Half an hour will be allocated to members on my left and half an hour to members on my right, and three minutes in total to Independent members should they seek the call.

MR BROWN (Morley) [2.35 pm]: I move -

That this House condemns the State Government for its heartless and mean-spirited approach to providing assistance to people in need as demonstrated by recent cuts to -

- (a) non-government peak organisations;
- (b) 32 non-government agencies;
- (c) programs for adults and children in need; and
- (d) the outlays under the Family Crisis program,

which show the Government is mercilessly attacking those most in need while it hands out tax breaks to the more affluent in society.

I am disappointed that the Premier has left the Chamber when we are dealing with the issue of people in need in this State. I will raise five issues in this debate, four of which relate to the four subheadings in the motion and the fifth to the Government's approach to tax breaks for its mates.

The Government's approach to the welfare issues in this State is slash, burn and cut into the welfare sector. Conversely, this Government has handed out tax breaks to those people who are affluent and who do not need assistance. We see the picture of what this

Government considers to be appropriate. We see the disdain this Government has for people who need assistance. This House has previously been informed that the funding of non-government peak organisations was the subject of a consultant's report, otherwise known as the Solomon report, which was delivered to the Minister for Community Development in July 1994. The Minister sat on that report until March 1995, when he issued a press statement indicating what the future funding arrangements would be. The organisations that are concerned with the funding cuts that are funded under this program include the Council to Homeless Persons, the Western Australian Council of Social Service, the Western Institute of Self-help, the Women's Refuge Group, the Youth Accommodation Coalition, the Youth Affairs Council and a variety of others.

The Solomon report made a number of recommendations, all of which were ignored by the Minister. Instead the Minister brought down his own decision, announced in his press statement of 7 March 1995, which was to cut the funding of WACOSS from around \$250 000 to \$100 000 a year, to cut or to remove altogether the funding of other peak organisations, and to provide an option for three existing peak organisations to take on a \$30 000 grant. Funding for the Youth Affairs Council was cut from \$110 000 to \$30 000. When the decision was attacked by the non-government sector, by WACOSS and groups associated with it, the Minister sought to discredit those people. We have seen in answer to two questions asked in this House a fairly robust attack by the Minister for Community Development on the credibility and integrity of the Executive Director of WACOSS in an endeavour to blunt that attack. The Minister sought to say that these attacks on the Government had no substance at all because they did not come from credible people, but from people who did not represent the community good. The people who have commented so far are not the only people who are concerned about the Minister's actions. I have a letter to the Minister from the Most Reverend Dr P.F. Carnley, the Anglican Archbishop of Perth, the Most Reverend B.J. Hickey, the Roman Catholic Archbishop, Captain G. Monks, the Acting Moderator of the Uniting Church and Major J. Jeffrey, Divisional Commander of the Salvation Army. These people do not write collectively unless there is a very important issue. When they write and put their collective mind together they do so in very measured tones and language to try to convey to the Government the views of considered and interested people in the churches in this State. In their detailed letter to the Minister they said that they viewed with great concern the attitude and the approach of this Government. They went on to say -

We note your own reported statement in *The West Australian* of 8 March 1995 to the effect that "you did not believe that groups should get tax payers' money to criticise public policy". The substance of this report has been confirmed in your subsequent press release of 9 March 1995, in which you state that "you find it hard to understand why citizens should be given tax payers' funds" for the purpose of questioning Government.

They go on to say -

... there is also a need for independent, informed, reasoned and creative criticism of public policy. Indeed this seems essential in a liberal democratic society such as ours.

They go on to note -

However, creative criticism, even if it makes some of us uncomfortable from time to time, is ultimately a service to the community as a whole. The complex area of welfare is one where a level of research and intentional reflection is called for. . .

It goes on to say that what is needed is a scientific approach which is properly funded. What that says in very measured, clear and precise tones is that the leaders of the churches in this State reject absolutely the Government's approach of slashing funds to non-government organisations. It also says in absolute terms that it is important for the democracy of this State that organisations which represent the less powerful and less privileged have a voice and that those organisations should not be constrained from expressing views as a result of having government funding tied precisely to the manner in which those organisations go about their tasks. That document, from the highest possible

sources of ethical integrity in this State, is a clear repudiation of this Minister and of this Government.

I refer to the funding of, not the peak groups, but non-government organisations in this State. The Minister announced the other day that 32 organisations were on the chopping block and looked like having their funding cut. They have been advised that the recommendation was that their funds be cut. What is the Minister's view of the Parliament? When Hon Cheryl Davenport in the other place asked the Minister there representing the Minister for Community Development an accountability question about whether he would divulge to the House the names of the organisations threatened with having their funding removed, the answer was that he would not give that information to the House.

Mr Nicholls: What is the rest of the answer?

Mr BROWN: The Minister was involved in discussions and would not divulge the information. His department had written with his approval to those organisations saying their funding was on the chopping block; yet the Minister will not divulge the names of those organisations.

Mr Nicholls interjected.

Mr BROWN: The Minister will have his say later.

The other week we heard that some of the funds for organisations such as the Scout Association of Australia and the Girl Guides Association W.A. were on the chopping block. We understand the Government might have backtracked on that.

Mr Nicholls: I have not changed the approach I spoke to the scouts and guides about last year. The difference is of misinformation you and your colleagues are trying to put around.

Mr BROWN: It is not misinformation. We have seen the Minister's letters. We know he likes to keep things secret. It is like drawing hens' teeth to get answers. He belligerently refuses to provide answers, notwithstanding the views of the royal commission about accountability. We get half-baked, smart answers which do not disclose information. In any event, we see a hacking away at the funds of non-government organisations, which, in many instances, provide services to the battlers and which do good work. We have not heard anyone from the Government say that the scouts and the guides are lousy organisations and that we should not give them any money, yet the Minister is putting their funds and the funds of other organisations under the hammer. Do members know why the Minister will not release the details? He does not want his backbenchers tapping him on the shoulder and saying they do not want community organisations in their electorates closed because they have supported them in some way or other; yet, in his own way the Minister is seeking to remove those funds.

On the question of women and children, we have seen what the Minister is doing with refuges. He intends to slash and burn the funding to refuges in the city area. He originally said that one refuge would remain open and now he has said perhaps two will continue - out of five; so three will close. The Minister knows they are all full; no more accommodation is available. This Government says it is concerned about children involved in domestic violence situations. The member for Swan Hills is on a task force to examine this matter. How does the Government demonstrate that commitment? It will not be providing the funding to Relationships Australia to provide a unique counselling service for children who have been involved in domestic violence situations. That funding ceased on 31 March this year.

Mr Nicholls: It was a pilot program set up by your Government.

Mr BROWN: I am glad the Minister said that. It was a two year pilot program which has been proved to be successful.

Mr Marlborough interjected.

The SPEAKER: Member for Peel, order!

Mr BROWN: In *The West Australian* of 28 February an article about that program read -

In at least two cases, children believed their mothers were dead after watching horrific attacks and seeing their mothers taken to hospital. The women survived.

On the effects on children involved in domestic violence, the same article read -

Children's confusion, anger and frustration manifested itself in anxiety attacks and problems with concentration at school. A heightened sense of fear, nightmares, bed-wetting, eating disorders, and stomach aches and headaches were common.

That referred to the children provided with counselling. *The West Australian* went on to note the effects where counselling was not provided. On 20 April Anne Blanchard, head of the department of social work at Curtin University, was reported as saying -

Children who were not helped to cope with violence in their family had the same problems as adults when they were involved in a traumatic incident . . .

That research shows that if assistance is not provided the problems continue. Yesterday this Minister indicated his intention to cut and slash away at this and many other programs that are for the benefit of parents and children in the community. That model was used not only for Relationships Australia. The Minister knows the program has been subjected to a thorough examination and as a result has been slightly modified. A manual has been produced and training has been offered to other agencies, including Department for Community Development staff. We find the Government on the one hand claims concern for people involved in domestic violence and on the other hand callously refuses to fund programs which play an important role in dealing with the effects of domestic violence. Perhaps the one good thing that might come out of today's debate would be if the Minister were to say on the record what decision might be made about funding the program and what criteria will be used. Has a continuation of the funding for the family crisis program been referred to the member for Swan Hills and her family violence task force? That program has run out of money; no funds are available for it. The family crisis program was introduced by this Government in 1993-94 and was designed to provide funds for families in desperate need. Where families in desperate need cannot be assisted by government, if possible, they must be assisted by non-government organisations. What of the level of commitment by this Government to families in need?

In 1992-93 the expenditure on a similar program was \$5.1m; that has been mentioned in the Estimates over and over again. In 1993-94 the budget allocation was \$3.5m; the expenditure was \$2.6m. In 1994-95 the budget allocation was \$2.6m; the expenditure for the first eight months of this year is \$1.3m. That means one of two things: That today fewer families are in crisis and in desperate need, and there are fewer of those concerns in the community and, therefore, the demand on that service has reduced; or, conversely, that the non-government sector is having to pick up more and more of the burden because of the stringent guidelines imposed by the Government.

Earlier today I telephoned some well respected non-government organisations which are reputedly involved in the provision of assistance. I asked whether the demand on their services had decreased.

Mr Nicholls: What sorts of agencies?

Mr BROWN: The Minister is not going to de-fund any of these agencies as a result of my raising their names here.

Mr Nicholls: Just back up your statement.

The SPEAKER: Order!

Mr BROWN: I back up my statements all the time. The Minister can deny what the organisations have told me and I will send them what he says.

Mr Nicholls: I hope you put my comments with your drivell.

Mr BROWN: Okay. The organisations tell me that demand increased substantially in the previous financial year. This year the demand is equally high; there has been no diminution in the demand. In order to assist the people in dire need a number of those organisations now give them less. Instead of giving people food for a period, they now give them less food; instead of giving them a small amount of money, they now give them a smaller amount of money. They do that because they are unable to meet the demand. The hallmarks of this Government are slash the non-government peak organisations, remove their funding, and make them ineffective - contrary to the views of the non-government sector and the churches - and slash the funding available to non-government organisations providing services.

We find no funding for important services for children and parents and a tightening of the funding guidelines for families in need. The Government has allocated \$1.3m for the families in need and \$1.3m for the Easton inquiry. I know where I would spend the \$1.3m. If the Government asked the battlers whether it was important to them to have a feed or to know whether Carmen Lawrence said a certain thing to someone on a certain day, they would say that they preferred a feed. That would be my view as well; not spending the money on some stupid inquiry. With all this cutting of community services, \$1.3m has been allocated for an inquiry and \$2m for a boot camp. The boot camp has two people in it. That is a good investment! It costs \$1.5m a year; that is \$750 000 an inmate. If the Government said to any of those people in need that it would put \$750 000 into looking after them, they would think they had won Lotto. When there was one person at the boot camp the Attorney General said in question time that the juveniles thought it was good. Why would they not? They have about 25 staff looking after them all day; talking to them and playing chess and tiddlywinks with them, and whatever else they do. It is unbelievable. No wonder they are happy.

The Government's priorities are grossly wrong; yet what does the Government do in allocating its priorities? It brings in changes to the Land Tax Act. As Hon Alannah MacTiernan said in the other place, let us look at the Government's changes to the Land Tax Act. As members will remember, the Government in amendments to that Act exempted residential properties that are owned in discretionary trusts and made them the same as owner-occupier properties so taxes are not paid on them. Who are the people who have their properties in discretionary trusts? There are not too many in my electorate. The people who have them in discretionary trusts are the Alan Bonds who slide them over to their kids where the liquidators or receivers cannot get their hands on the money; yet the Government gives them tax breaks. The Government throws the money at them; it puts in all its resources at the top end of the market. In the meantime it is screwing the people at the bottom end - the poor battlers. The Minister has the wonderful idea that next week or the week after he will make an announcement about families or new money. It is not the new money with which he is concerned; it is the money that is hanging around which has been slashed and burnt from all the other organisations which he will repackage and sell again. That will be done in the same way as he announced a program for youth the other day with a big headline as a new initiative of the Government. The Opposition asked on notice how much was allocated to that program and to the Sumfun program, and were told that \$200 000 was allocated. We asked also what the difference was between the two programs and was told that the Government was looking at a different age group.

Mr Nicholls: That's right.

Mr BROWN: Here we see the way the Government goes about repackaging existing funds for people in the most need. The resolution, although it will probably be defeated on party lines, should be carried. While the Minister sits on the front bench and interjects, he should have a look around him because there are a few glum faces behind him.

MR THOMAS (Cockburn) [2.57 pm]: I will illustrate my support for the motion with reference to a facility which is being closed in my electorate; namely, the Coolbellup Neighbourhood House. I am sad to report this. It is an excellent example of the impact of the Minister's policy. This group will appeal, and I hope that their appeal is upheld. If

it is not, that facility will close on 30 August. The Neighbourhood House in Coolbellup was established two years ago in the wake of the closure of the one parent centre. It was established to deliver services directly to an area where there was a great need for that.

Mr Strickland: You blokes took out the one parent centre.

Mr THOMAS: It was closed and it was decided to relocate services to an area of great need. I illustrate some of the services that are provided through the Neighbourhood House in Coolbellup. It has courses on building self-confidence; sleeping and insomnia; preventive child abuse; living in a step family; parenting for the 0-15 age group; and teenagers, their needs and parents' needs. It has a men's club, which is related to domestic violence, and offers school holiday programs for the 6-15 age group. The courses are run in an area of high need which is relatively isolated from the rest of the community by public transport. If those courses are not provided at a facility such as the Neighbourhood House, they will not be accessed by those groups at all. It is an area which has a relatively low rate of private vehicle ownership in comparison with the rest of the metropolitan area. If those services are not available within the community the local residents will not have access to them.

From September 1994 to 30 April 1995, 1 139 people went through the neighbourhood house at Coolbellup. A transportable has been constructed at the back of the existing Homeswest house so that the services which are in demand in the community can be provided. The number of people using the facility is impressive. I do not have the time to read out the impressive list of courses available at the centre, but they include family oriented and self development courses. It is a facility which is provided on a cost effective basis and it is very much needed in the community. If the facility is closed it will be an indictment of this Minister and this Government.

MR NICHOLLS (Mandurah - Minister for Community Development) [3.01 pm]: I have listened to what I consider to be an extension of the misinformation and the absolute devious intent of the Opposition to try to make out that this Government does not care about the community. It is also trying to make out that when it was in government it did care about the community. Where was the member for Morley when the Labor Government was giving hundreds of millions of dollars of taxpayers' funds to its mates? Where was he when his union mates were not standing up for the people at the bottom of the pile?

Several members interjected.

The ACTING SPEAKER (Mr Day): Order! The interjections are totally unacceptable and it is not necessary to have such a shouting match across the Chamber.

Mr NICHOLLS: Let us consider what happened when the member for Morley's mates were in power. I said yesterday that, during the recession in 1991, the previous Government decided to cut the resources for community services. Members opposite did not care about the people; they were giving their money to their Labor mates.

Several members interjected.

Mr NICHOLLS: It is interesting to hear the comments when reference is made to the way the previous Government did business. This Government is about trying to provide as many services as possible to the people in the community, with the resources available. I will concede that as Minister for Community Development I would like unlimited funds to spend in the community. The reality is that there are funding constraints.

Mr Thomas: You do not have any clout in Cabinet. Say that, and we will respect you.

Mr NICHOLLS: Is that right? The member for Morley tried to purport that this Government somehow is doing something wrong in the area of helping those in need. He referred to the family crisis program. This Government actually took \$1m out of the food voucher area and redirected it into financial counselling. It is providing financial counselling for these people to develop their skills and, generally, people support that action.

Mrs Hallahan: Rubbish!

Mr NICHOLLS: What did the member for Armadale or the member for Thornlie do in Cabinet when the previous Minister cut the emergency financial assistance program by \$1m? He did not even transfer that money; he reduced it.

Mr Ripper: That is not true and you are misleading the House.

Mr NICHOLLS: I am using information which I understand is correct and if the member can correct me, I will listen to him. Not only was there a reduction in funding, but also the criteria were tightened to reduce the number -

Mr Ripper: Would you like to hear the truth? Budgets for the program were maintained. In one area we allocated an additional \$1m because of the demand.

Mr NICHOLLS: And then it was cut.

Mr Ripper: No. We provided additional assistance of \$1m.

Mr NICHOLLS: The reason I am raising this issue is not to criticise the previous Minister. I am sure his decisions were based on good grounds.

Several members interjected.

Point of Order

Mr NICHOLLS: I think I heard the member for Armadale correctly. I ask that she apologise if she suggested that I was lying to the house.

The ACTING SPEAKER (Mr Day): Order! I did not hear the comment. However, if the member for Armadale made that comment I ask her to withdraw it.

Mrs HALLAHAN: What I said was, "Don't lie."

The ACTING SPEAKER: Order! In view of the fact that it was not a direct accusation that the Minister was lying, I will not ask for the remark to be withdrawn. I certainly ask that the word not be used.

Debate Resumed

Mr NICHOLLS: I must have misheard the member.

The Labor Government made a decision based on the priorities. This Government has looked at providing services which will prevent people from encountering social problems. We want them to develop the necessary skills so that they can address social problems within the context of their environment and needs. It is not always possible to do that. This Government is focused on trying to help people address their problems by providing a direct link between the funding provided by this Parliament to the non-government sector and the services provided. There have been no slash or burn cuts.

Mrs Hallahan: There has so.

Mr NICHOLLS: Members opposite know that not only have there have not been cuts, but also agencies have been involved in consultation with the non-government sector with respect to general funding.

Mr Thomas: Go to Coolbellup and say that.

Mr NICHOLLS: The member for Cockburn is shooting off at the mouth because he does not understand, and he does not want to understand. Instead of sending a letter to groups telling them that they will not receive any more money, we have given the local district managers an opportunity to make recommendations about the priority of services in their district. The member for Cockburn might like to know that under this Government's process the managers have gone to the groups and spoken to them about the recommendations. They have also informed the groups that if they do not agree with the recommendations they have the opportunity to make representations to me.

Mr Thomas: They are not all that confident and I understand why.

Mr NICHOLLS: The member for Cockburn was part of the previous Government and let us look at what it did. It reduced funding in this area by 4.6 per cent. Was there any

consultation? No. Did the previous Government implement a process of seeking information? No. It simply sent out a letter telling the different groups that their funding had been cut and there would be a general reduction across the board. Members opposite have no credibility.

This Government has gone through the processes of consultation, seeking information and implementing devolution. It is now at the point where it is changing the method of issuing funding. Instead of sending a cheque to the non-government agencies, it is providing funding for the services provided. Under the previous Government, the funding was provided to the non-government sector, and more than 60 per cent of the agencies did not even have a funding agreement. All agencies should have funding agreements.

The member for Morley asserted that this Government was doing the wrong thing. I refer to a letter dated 30 August 1991, from the Department for Community Services to Mr John Keating, Director, Holyoake, which states -

As you are aware the 1991/92 State Budget has been difficult. All areas, including the Community Services sector, have been required to reduce spending. Overall, the Department for Community Services has been required to reduce its 1990/91 activities by \$5,081,662 (4.6%). Included within the figure are reductions totalling \$778,000 in non-Government funding.

It states also -

Reductions have been made across all non-Government programmes including:

Supported Accommodation Assistance Programme	\$294,762
Residential Child Care	\$ 53,000
Peaks and Services	\$ 37,500
Youth Services Programme	\$ 37,000
Family Support Programme	\$ 35,000

The member for Morley has no credibility at all. Perhaps the member for Morley does not worry about the facts. Perhaps the member for Morley is not interested in what is really happening.

It is interesting that members opposite bleat so much about those people in need, but during the crisis that Paul Keating caused in this nation, we saw a reduction in the number of people in the crisis care unit. The member for Kenwick was in Cabinet at that time and I am surprised that she did not object to a reduction in this important area. I notice that in 1992, the member for Kenwick did raise with the Minister some concerns about the \$700 000 that was supposedly cut from women's accommodation assistance services in the 1991-92 Budget, and when the member for Kenwick wrote to Mr Chris Evans, the State Secretary of the Australian Labor Party, Western Australian Branch, she was very good at rationalising why the cuts had been made. The letter states in part -

The amount reduced from existing women's refugees funded through the Supported Accommodation Assistance Programme was approximately \$200,000.
...

However, two new women's refuge services were funded at a total cost of \$260,000 and existing services all received an increase of 5.5% on their salary and salary-on-costs grant component.

This resulted in an overall increase in funding to women's refugees, not a decrease.

Points of Order

Mr RIPPER: Mr Acting Speaker, I understand the Minister was quoting from an official document, and I would like him to table the file from which he was quoting.

Mr C.J. BARNETT: Mr Acting Speaker, I make the observation that should you rule that

the document be tabled, that should apply only to the particular document to which the Minister referred and not the entire file.

Mr RIPPER: If the Minister is quoting from a document, that document should include all the papers that are attached to it, not just the one from which the Minister is quoting.

The ACTING SPEAKER (Mr Day): I rule that it is not correct that the Minister has to table all of the notes or papers which he has. In regard to the specific letter from which the Minister quoted, I ask the Minister whether it is an official document, in which case he should table it; if it is simply notes, the Minister should indicate that to the House.

Mr NICHOLLS: I was quoting from a photocopy of a letter and I am willing to table that letter for the information of members.

[See paper No 260.]

Dr Watson: You quoted from two letters.

Mr NICHOLLS: I will also table the first letter from which I quoted, when I find it. I will do that later.

Mrs HALLAHAN: As I understand it, the Minister said he would table that one later. We want the document tabled now. That is the ruling that you made, Mr Acting Speaker.

The ACTING SPEAKER: Standing Order No 231A states that the document may be tabled immediately after the conclusion of the remarks which include the quotation. Therefore, the Minister has time to find that document later.

Debate Resumed

Mr NICHOLLS: The member for Kenwick and other members opposite have been running around this community claiming that the Government will reduce or close refuges. The difference between the previous Government and this Government is that we undertook a comprehensive review of the Supported Accommodation Assistance program - the Gatter review - and I released that report last July. We are now in a situation where rather than have consultation, where members opposite become more informed and allow the community to have input, members opposite try to misrepresent what is in that report. The changes in SAAP will make available more beds for women and children who are fleeing domestic violence.

Ms Warnock: That is a nonsense, and you know it. Why are people from refuges and organisations like that coming to us all the time if everything is as rosy as you say? We do not make these things up.

Mr NICHOLLS: The reason is the misinformation which the member for Kenwick and other members opposite are promoting. The Gatter report provides the opportunity for people to have input into its implementation. We have made a public statement that we will provide medium term accommodation in addition to refuges. Members opposite may not like to admit it, but one of the major problems is that when women and children go into refuges in a crisis situation -

Dr Watson: It saves their lives.

Mr NICHOLLS: The member for Kenwick should listen. If women and children go into a refuge when there is a crisis, that is fine, but when the crisis has been addressed, in many cases they have nowhere else to go. We want to provide a range of services to assist people in that transition. We will provide refuges for people who need security during a crisis. We will also provide medium term accommodation for women in those refuges who do not want to return to their home environment, and that will free up beds in the refuges for those people who need those crisis facilities.

Dr Watson interjected.

Mr NICHOLLS: The problem with the member for Kenwick and members opposite is that they cannot come to grips with the fact that this Government is trying to make real social changes for the benefit of people with needs. Members opposite looked after their mates and their campaign accounts.

Several members interjected.

The ACTING SPEAKER (Mr Day): Order!

Mr NICHOLLS: The member for Morley raised several matters relating to the family crisis program and its funding. There has not been defunding, apart from the agencies which have not met funding agreements. Few agencies fall into that category.

Mr Ripper: The scouts and guides, for example!

Mr NICHOLLS: Those groups have not been defunded. When the previous Labor Government lumped together the Office of the Family and the Department of Community Services it resulted in a miscellaneous group which originated in the Youth Affairs area. Instead of placing these groups in a program funding area they were lumped into peak groups because essentially that was a miscellaneous funding area. These groups are service groups. They provide a service to the youth in the community. They are not essentially peak organisations.

Mr Ripper: What is the bottom line? Will they receive the same amount of money?

Mr NICHOLLS: We must address the need for resources, and the service to be provided.

Mr Ripper: Why not give a guarantee that the same amount of money will be provided? That would solve the problem; but you will not give that guarantee.

Mr NICHOLLS: The member should be quiet. I have met with the groups and clarified the misinformation provided to them. Our communications could have been clearer to avoid misunderstandings.

Dr Watson: You have botched that communication.

Mr NICHOLLS: I acknowledge that we could have done a better job.

Several members interjected.

Mr NICHOLLS: I met with the groups. The groups are very aware that we simply want to work through the process to clearly identify the amount of money they receive and the service they provide so that everyone in the community will know. The change in funding is all about providing a better service to the community.

To digress a little from the motion, to explain the objectives of the funding and the direction this Government is taking: The objectives of the funding now will be to provide funds where agencies and the department clearly identify the target groups for a service, the resources necessary to provide the service, the environment in which the service will be provided, and the benefits for the people who will use the service. The aim of the change is to assist people who are in crisis or who need support. They will be informed about which agency provides a certain service to meet a certain need. They will be advised on the service, and how it is designed to be of benefit to them.

This is a transitional period. It will take time. It will not be an overnight process. We will need to work through a number of issues owing to the complexity of the services in the community. This Government is all about not only trying to care for the community in a proper way but also ensuring that when new funding is available it is targeted at a priority service. Members will be happy to learn that the recommendations for funding and priorities will come from managers of the department's districts. That means a decision will be made as close as possible to the people using the service. I hope members opposite will support that notion and agree that it is a very productive shift.

The former Labor Minister, the member for Belmont, may be aware of the Auditor General's concern about accountability for funding. He may be aware of the need to make some changes to ensure that the Minister for Community Development, whoever it may be, has a clearer account of public funding. That is reflected in these changes. The member for Cockburn also made some comments. We need to consider the total needs of a district, and that includes Fremantle. Any recommendations for change should be made on the basis of what is best for the community. Although changes will give the member a political opportunity to attack me he should consider any recommendations -

Mr Thomas: The fact that new suburbs are developed and have needs does not necessarily mean that the services in the older areas must diminish. New suburbs need special housing but that does not mean that that housing should close down in other areas - especially if the housing has been open for only two years. It is a whole new building.

Mr NICHOLLS: I understand that that group is putting forward some information. I will be interested to see it. I have not seen it to date.

Mr Thomas: The Minister should come out with me one day and look at the building.

Mr NICHOLLS: I will take up that offer. We can arrange a time.

I will summarise what the Opposition is trying to do, and then outline the intentions of the Government. The member for Morley and, to a lesser extent, the member for Cockburn argued that a lot of slashing and burning was being undertaken by this Government.

Dr Watson: There is. We see it every day.

Mr NICHOLLS: That is not true. There has been an increase in the budget of the Department for Community Development since I became Minister. We are focusing on helping parents and families. We are addressing child protection. We are directing our resources towards helping children at risk and families in need. We are committed to a clear link between funding and the services delivered to the community. This is not an ideological program. This philosophy flows from the comments by the Auditor General, and the general community would like to know more about the \$40m that went to the non-government sector. The community will benefit if we can provide information about available services.

Members opposite do not like what is happening. They look for opportunities to attack the Government. They can attack me all they like but it annoys me when they try to say that the Labor Party cared about people in need. It did not. Members opposite cared only about their mates.

Several members interjected.

Mr NICHOLLS: Members opposite deserted people in need. This Government is all about putting credibility back into the welfare sector. This Government is all about trying to provide more services for people. This Government is going through a consultative process. People may not agree with that, but we are moving forward. Members opposite can jump up and down. They sent out letters; they did not consult. They cut funds. The changes in peak funding are an attempt to provide money to peak organisations for the administration of services. We want to identify as much funding as we can so that we can provide more services to the community.

Dr Watson interjected.

Mr NICHOLLS: The member for Kenwick sat mute on previous occasions. I did not hear her defending people when the cuts were made. She may have, but I have not seen anything on the record. It is nonsense for members opposite to bleat about changes when the changes will provide more services. They will be better targeted services, and they will result in clear benefits for the people using a service. It will not happen overnight. However, the services will be beneficial to people in general, but particularly the people at risk in our community.

I table the additional document, as requested by the Opposition.

[See paper No 260A.]

MR BLOFFWITCH (Geraldton) [3.29 pm]: In 1991 and 1992 more people were clamouring at my door in Geraldton complaining because they were being under resourced than is the case today.

Mr D.L. Smith: They got the resources from us and you have taken them away.

Mr BLOFFWITCH: Will the member for Mitchell let me have a say?

Mr D.L. Smith: You would know next to nothing about your town.

Mr BLOFFWITCH: I know a lot about Geraldton. I will tell the member what I have seen happen in that time.

Mr D.L. Smith: I see what is happening in your town, and it is not good.

The ACTING SPEAKER (Mr Day): The member for Geraldton has the call at the moment. I remind members opposite that they have had a very free rein during this debate so far as interjections are concerned. The mover of the motion, the member for Morley, was heard almost in silence, and the member for Geraldton should be heard in that way.

Mr BLOFFWITCH: In that five year period, organisations like the Sexual Assault Referral Committee have gone from having only a part time carer to having funding for a group of four women.

Mr D.L. Smith: It was done under the previous Government.

Mr BLOFFWITCH: Will the member just listen? A professional has been installed in this organisation to counsel children. That did not happen in 1991 or 1992.

Point of Order

Mr MINSON: Matters of public importance are difficult things sometimes because of the limited time available to members to speak. I do not mind interjections from time to time. However, sometimes the same interjection is repeated five or six times. I ask that the member for Mitchell be directed to keep quiet or be removed from the Chamber so that we can get our message across.

The ACTING SPEAKER: Order! It is a fair comment. There has been an excessive level of interjections. I said that only a couple of moments ago. The member for Geraldton has only three minutes available within which he can make his comments. It is fair that he should be able to be heard and to make his points within that time. The member for Mitchell has made numerous interjections, as have many other opposition members. If the interjections continue at the level and volume that have happened so far, I will formally call some members to order.

Debate Resumed

Mr BLOFFWITCH: I have seen a general improvement in community services in Geraldton. The resources have enabled organisations to grow from almost nothing and expand each year. I took the time and trouble to look up the records of the last two years of the Community Development budget, which showed an increase. From the statistics, I saw in 1991 a reduction of \$4.5m in the Community Services budget. It was the worst year of recession that this State had had for many years. Many business people who I know are no longer in business because of that recession. Unemployment was running at 13 per cent or 14 per cent. It is now down to 8 per cent.

We have given considerably more resources to community services than the previous Government did. The Minister has nothing to be concerned about. He is changing the direction of community services provision; making changes, as he should. He is asking the service providers to be accountable. Given the size of the Minister's budget, he must be accountable. People have come to me who have been asked to change their ways and to stipulate what they will do with the \$600 000 they get. I asked them, "What did you do before?" They said, "All we did before was to put in a budget; say we had eight people and put in our rent costs." I asked whether they ever advised what they did in the provision of those services and to whom they would provide them. They told me that they never had to advise those particulars. I asked, "Would it not be better for you to get funds based on the results you achieve?" They said, "Yes, it would." I said, "Let us look at how you filled out the application form."

These people must be clamouring at the door of members opposite, not mine. They go along with providing the information that is required, so long as they get the funding. Of course, there is never enough money. It would not matter whether funding was doubled

for community services, it would never be enough. The available money is being allocated as best it can be. We look at the demand and the service being provided and decide how the money should be allocated - and that is the way that it is allocated.

MR RIPPER (Belmont) [3.35 pm]: As is the case with all beleaguered Ministers, the Minister for Community Development has resorted to the tactic of misrepresenting the record of the previous Government to defend his own actions. Under the previous Labor Government there was more than a 15-fold increase in funding to the non-government service sector. It was virtually built under this Government. If this Minister thinks things are okay, why have senior and respected church leaders written to say that they view with great concern the Government's actions and attitudes? I never received a letter like that when I was Minister for Community Services, and they did not take that action under the previous Government.

This Minister has very little credibility. I will give an example of that. Today he quoted from a letter which he said was from the member for Kenwick. He tabled the letter after I raised a point of order. There was no indication on the document that had been tabled that it had been signed by the member for Kenwick. It is clearly a draft prepared in the Department for Community Development and the member for Kenwick may, or may not, have signed a letter like this. What is even more interesting is that bits of the letter were not referred to by the Minister; information about which he did not want to advise the House. To set the record straight, I will quote the third and fourth paragraphs of the letter which state -

... two new women's refuge services were funded at a total cost of \$260,000 and existing services all received an increase of 5.5% on their salary and salary-on-costs grant component.

This resulted in an overall increase in funding to women's refuges, not a decrease.

Mr Nicholls: Check *Hansard*. I read that.

Mr RIPPER: I will do that. We see here a misrepresentation of the record of the previous Government. More refuge beds were opened during our period in office. Under this Government we are seeing a closure of beds. We are also seeing a very substantial attack on the emergency financial assistance provided to people on low incomes who find themselves in a desperate crisis. The Minister was bold enough to talk about the facts. I will provide the House with two figures: In the last year of our Government \$5.1m was spent on that assistance; under this Government in the eight months of this financial year only \$1.4m has been spent. I rest my case.

Question put and a division taken with the following result -

Ayes (20)

Mr M. Barnett
Mr Brown
Mr Catania
Mr Cunningham
Dr Edwards
Dr Gallop
Mr Graham

Mrs Hallahan
Mrs Henderson
Mr Kobelke
Mr Marlborough
Mr McGinty
Mr Riebeling
Mr Ripper

Mrs Roberts
Mr D.L. Smith
Mr Thomas
Ms Warnock
Dr Watson
Mr Leahy (*Teller*)

Noes (27)

Mr Ainsworth
Mr C.J. Barnett
Mr Bradshaw
Mr Court
Mr Cowan
Mrs Edwardes
Dr Hames
Mr House
Mr Johnson

Mr Kierath
Mr Lewis
Mr Marshall
Mr McNee
Mr Minson
Mr Nicholls
Mr Ormodei
Mr Osborne
Mrs Parker

Mr Pendal
Mr Shave
Mr W. Smith
Mr Strickland
Mr Tubby
Dr Turnbull
Mrs van de Klashorst
Mr Wiese
Mr Bloffwitch (*Teller*)

Pairs

Mr Bridge
Mr Taylor
Mr Grill

Mr Blaikie
Mr Prince
Mr Board

Question thus negatived.

LAND, PARKS AND RESERVES AMENDMENT BILL

Second Reading

Resumed from an earlier stage of the sitting.

MR KOBELKE (Nollamara) [3.42 pm]: Before the suspension I was concluding my remarks on the main section of the amending Bill which relates to grants of land and leases to Aboriginal people. One last point I wish to raise on that matter is how the legislation when amended will be used in respect of Aboriginal communities. As I understand it, Aboriginal communities seeking land for the use of those communities have generally gained that land through the Aboriginal Lands Trust. That means that there has been a procedure for holding the land so that it is held for the community. The provisions which this amendment will put in place could open up the position that the land will be granted to individual Aborigines, which could create problems within the community. That raises another issue, which I hope the Minister might take up. What is the intention of the Government in using the amendments we are about to put into the legislation? Does it mean that we will see perpetual leases of land and funds used to provide those leases given to individuals rather than to communities? What form of holding is likely to be favoured in such an operation?

I move now to the second item contained in the amending Bill which relates to the removal of unauthorised structures on Crown land, which may commonly be known as squatter shacks. The current procedures available under legislation require that notice be given and, if action has not been taken to vacate or remove the structures within three months, the matter must be taken to court which can involve further legal action if the residents of such unauthorised structures are not willing to comply. It makes the process lengthy and costly to the Government. We have here amendments to take up proposals used for the Port Kennedy development. It is seen as a much more efficient way of handling the removal of squatters' shacks.

Mr Lewis: It works.

Mr KOBELKE: The Minister indicates that it worked well for Port Kennedy and is seen as an appropriate model to use on a larger scale. I will come back to that point later. The new proposals basically mean that the Minister can issue an order for the removal of such unauthorised structures on Crown land and the owners or people responsible for such shacks have 90 days in which to remove them. There is then provision for the Minister to grant an extension for 45 days. The structure then becomes the property of the Crown. It puts the Crown or the Minister as representative of the Crown in a much stronger position to force the legal action that may be necessary.

The Bill inserts new section 164A into the Land Act. It provides that the Minister may by order publish a direction to an owner or a person occupying an unauthorised structure, which, as I have said, is generally referred to as a squatter's shack, which is on public land, to remove any such shack. The Minister can set a date by which that structure must be removed. That date cannot be less than 90 days from the order given by the Minister. The order may direct the owners or occupiers of all authorised structures on public lands or the owner and occupier of one or more unauthorised structures specified by the order which are on public lands. One of the problems we have is that the settlements are usually well away from established townsites and areas with infrastructure. People may not spend a great deal of time at them and, therefore, the problem arises of locating the person responsible for the shack in order to fulfil the necessary requirements to have the shack removed. The amendment means that the order must be taken to be duly served on the owner or occupier of any such shack. I take it from the amendment that if a copy of

the order served on any person, in occupation or apparently in occupation of an unauthorised structure, is affixed to the unauthorised structure in a conspicuous place, that obviously may be seen as providing an opportunity for people to be dispossessed of a structure which they consider their own without being given proper notice, because the person who was there at the time may be there without any authority from the owner or person responsible for the unauthorised structure.

The other point is that the notice could simply be affixed. If it was affixed to the structure, it could be removed and that person would not know anything about it. The potential exists for owners of squatter shacks to feel that they are being dealt with unjustly. They may have had a shack for many years and have been able to use that facility on Crown land, along with perhaps a large group of people in that area. They may find at some stage that they have no recourse because the Minister has issued an order and that order has been given effect to, after the due process of time, and they were not made aware of it. There are problems in the provisions before us; nevertheless, the Opposition will support these amendments because there is great difficulty for the Government in removing squatter shacks where there is a real need to do that.

Although one must be conscious that a Minister at any time could take action which was seen to impinge unfairly on people, a workable mechanism must be in place. If we consider the range of other possibilities, we find that they would place too great an obligation on the Minister, or the authority which implements the Minister's directive, if we were to require that the particular resident be the one located in some other way. We must take into account that these are unauthorised structures and that no register is held by government as to who is responsible for them and, therefore, it is difficult to know who must be contacted to take the necessary steps to remove squatter shacks.

This is a difficult situation; therefore, these provisions are seen to be necessary. However, it must be made clear that they open up the possibility of abuse by the Minister of the day. As in so many areas, we must trust the Minister of the day to act with a sense of fairness to the people being dealt with and to ensure that the rights, as little as they may be, are respected, so people understand that the proper process has been followed and that their rights and entitlements have been taken into consideration.

The amendments provide also for what will happen after an order has been given and properly served and the owners of the structure have not fulfilled the requirements. In other words, if the unauthorised structure is not removed, that structure and its contents, materials and fixtures become the property of the Crown and may be removed, destroyed or dispossessed in the manner the Minister thinks fit. In this case there is a move to give the Minister considerably more power. As I have indicated, although I have concerns about that, we must ensure that the process is workable and effective and does not involve unnecessary levels of cost and undue delay. It will come down to the Minister of the day and how that Minister will deal with the provisions of this amendment. One hopes that the Minister would be conscious of the attachment that individuals may have to an area and their squatter's shack and, therefore, would not use the power given by this legislation to steamroll people without taking account of their real interests. The amendments make it clear also that no compensation is payable to any person for the removal, destruction or disposal of any such unauthorised structure.

As I indicated in my brief outline, in addition to the 91 days the possibility exists for an extension should the owner of the structure not be able to fulfil the requirements. I put on record how these provisions will work in that eventuality. The owner of the structure who has been given notice to remove it within a minimum of 90 days, which would be set by the Minister, can make an application for an extension under these amendments to the Minister. He must do that by notifying the Minister not later than 21 days before the day specified in the order given by the Minister. The application of this extension is quite limited: That is, the person who has been served with the notice obviously must have received it; he then must make inquiries as to what his rights will be under this legislation. I do not expect that a large number of people who use squatters' shacks will be conversant with this legislation; therefore, a bit of chasing around will be required by the people affected to find out what rights they have under the law. They are left with

only a short time in which to do that; a maximum of 69 days, but it is likely to be considerably less than that, given that they must be served by notice.

The owners will have limited time in which to apply for such an extension. In order to gain that extension they must meet the criteria laid down in the amendment before us. Those criteria require that they must satisfy the Minister that they are unable to remove the squatter's shack or unauthorised structure by the day specified in the order. The first hurdle they must get over is that they must indicate that for some reason they have not been able to do that. They must then show that they intend to remove the structure or squatter's shack. Only then can the Minister grant an extension. Although it sounds good that there is a possible extension of up to 45 days, it is inadequate because little time is available for the person to consider the application to the Minister. That application must be based simply on the fact that he will not physically be able to undertake the removal of that structure in the given time and that he needs a small extension. The extension itself does not provide an avenue for delay by the owner to drag out the matter.

The Government, wishing to have an efficient administration, would not wish to allow any undue delay to be used by the owners of the structures simply to thwart its actions. There is good reason for that. One can understand where the Government is coming from. However, I ask the Minister to consider the point of view of people who may have had such shacks in place for a number of years and are not able to remove the structure easily. Often it is difficult to get access to the structure. Such people often have built the structures themselves and they have been done on shoestring budgets. Although that is not always the case, it is true for many who have built squatter shacks.

Mr Lewis: In Rockingham and also up the coast they walked away and the shacks then became the absolute property of the Crown. The Crown just removed them, so there is not a financial burden on them if they cannot remove them.

Mr KOBELKE: I understand what the Minister is saying, but that is not the point I am making. This Bill provides for an extension of 45 days. I suggest to the Minister that in some cases there will be a genuine need for an extension and 45 days will not be adequate. I cannot judge whether it will be for a small number or a large number of cases.

Mr Lewis: That is 45 plus 90 days.

Mr KOBELKE: I am talking about the extension of 45 days. We are dealing with people who have been given notice and who wish to comply because the extension is applicable only where people are willing to comply with the order, and who have to get a vehicle, friends and equipment to a squatter's shack and remove it if they wish to preserve that physical structure, because as the Minister has pointed out, if they do not move, the shack becomes the property of the Crown and the Crown will remove it or destroy it. I am not taking issue with that. I am raising the concern that some genuine cases will arise in which the 45 day maximum extension will not be adequate because these people will not pay somebody to remove the shack for them. These people have usually put those structures together at minimum cost and they enjoy using it because of the little or no cost involved. They will have to marshal friends or family, borrow or hire a vehicle and find time, maybe during their holidays, to remove the structures. In many cases, the 45 days will not be adequate.

Mr Lewis: These things are meant to be disciplined. I do not think any Government of any political persuasion would remove a shack at the expiration of the 45 days if the people were genuine. Governments are compassionate, as you know.

Mr KOBELKE: I accept the interjection by the Minister. He is echoing the point I made earlier. The provision in this amendment gives considerable strength to the Minister to take the action that he feels should be taken. If the Minister is willing to consider fairly the interests of the owners of the squatter shacks and deal openly and fairly with them, I see nothing wrong with the legislation, strict as it is. It will ensure that efficient and proper action is taken in relation to unauthorised structures on Crown land. However, it

opens up the possibility for a Minister who is not considerate of those interests to steamroll people unfairly.

Mr Lewis: There was a case recently of a person who was ill with a terminal disease being asked to move from one of these shacks. He knew he had only a short time to live. He was allowed to stay there until he died.

Mr KOBELKE: My understanding of the amendments before us is that the owner of the shack has limited avenues of appeal. The Minister just gives an order according to the provisions being put in place and the shack is removed. There may be recourse to the courts. I am not a lawyer and I do not know how that will occur. There are problems in that the owners of the squatters' shacks have had recourse to the courts. That may be seen on the one hand as a right and as being fair. I also understand that, on the other hand, it can be used as a delaying tactic and a costly waste of money for the Government to prosecute and bring the matter to a conclusion. We have moved to amend that. I am addressing my remarks to that which will be in place when these amendments become law. In that case I see limited avenues for those owners to take the matter to the courts. There may be some, but they are likely to be limited and costly. Therefore, we really require some form of administrative appeals tribunal because when the Minister does something that does not allow for natural justice, the owner should have recourse to appeal other than limited and expensive applications to the courts.

It is necessary for the Minister to have power to administer and deal effectively with an issue. However, when those very considerable powers are provided to the Minister, some form of administrative appeals tribunal should be put in place to deal with the odd occasion when the Minister applies that power unfairly. I am advised that there is potential for the shack owner to object to the Governor. I do not understand the legal technicalities of that. However, if a group of residents feels that the Minister has not acted justly, those people could wage a public campaign and hopefully influence the Government to have the Governor intervene, through an order in Executive Council. That is one limited avenue by which people can currently take up their case if they have been dealt with unjustly.

Will the Minister confirm - I am not sure whether it is in the Bill - how these powers which rest with the Minister can be delegated in total or in part to local government authorities? How will that be given effect? That opens up even more concern for the possibility that people may be treated unjustly and not have ready recourse to have that injustice rectified.

The application of these provisions must meet a range of different circumstances across this vast State. It is part of our form of government and of the justice system that people should be treated equally and fairly. That usually implies some form of uniformity which should be matched against different needs and different problems in various parts of the State. A range of different approaches have been adopted in relation to squatters' settlements in Western Australia. I will allude to some of them briefly. During the last Labor Government action had to be taken against a squatters' settlement in the northern suburbs of Perth, around Whitford. The Government's approach was to offer those people freehold title and give a discount to those who could buy the land. As in all things, nothing is perfect. Some people thought that that approach was not appropriate.

Mr Lewis: It turned out to be a mess.

Mr KOBELKE: I indicated that it did not work as well as one would have liked. However, it provided a measure of justice to those people who had a squatter's shack in that area. Another case brought to my notice was that at Windy Harbour. I understand the Manjimup Shire Council became involved and a leasing arrangement was provided that was controlled by the local shire. Although I was not closely involved with that case, I understand it worked. People were given the opportunity to continue to use the houses. The lease arrangement ensures that the environment is taken care of and that administration is handled by the local council. It has also been brought to my attention that there are squatters' shacks in the D'Entrecasteaux national park, again in the Shire of Manjimup. While the Government has been working with councils on the mid-west

coast to have shacks removed, I have not heard of similar action being taken on the shacks in the D'Entrecasteaux National Park. Perhaps it is because the local council covering the Windy Harbour area supports people having the opportunity to stay on Crown land through that method. The Dandaragan Shire has some opposition to squatters' shacks in its area and is keen for them to be removed. The matter also arises in the Dampier Archipelago in the north west of the State. I raise those examples to make it clear that this legislation must be applied across the State, and all areas must be treated in accordance with the issues involved. The Minister obviously has power to vary the provisions, but they must be applied fairly. It would not be fair to allow people to remain in one area if people in another area were forcibly removed, even though they were not causing the Government any more problems or incurring any more cost than the others. Although this legislation gives the Minister the means to handle the problem, it does not solve the problem.

The issue of the day with regard to settlements on the mid-west coast is the Wedge Island community. I understand those people have taken a great deal of care of their environment. I have not heard any criticism that the people in those shacks on Wedge Island have been responsible for environmental degradation of the area. There are problems along that part of the coast with blowouts and sand dunes, and there is a major fire risk area south of Wedge Island and north of Lancelin. There are serious environmental concerns in that area, but the revegetation has been carried out by the local community association rather than by the shire or the Department of Conservation and Land Management. It has used its own money and effort to plant trees and shrubs which will flourish in that environment, and it has contributed considerably to the preservation of that environment.

Another point raised is the cost of administering such squatter settlements. It is correct for the Government to feel that as these people have used Crown land at no cost, it does not want to provide funds for the care and maintenance of those areas. That could be a very short-sighted view on the part of local government and the State Government. This matter cannot be considered only on the basis of cost. The administrative cost is very small. No community services are provided to Wedge Island. The community association has looked after the disposal of rubbish and has tried to settle problems between residents. The Government cannot stop people going to these areas. They like to get off the beaten track and enjoy the natural environment along the coastline. Of course, there are problems with road access. The people in those areas do not have televisions or telephones, and many do not have an electricity supply. It provides a cheap holiday for them, but it goes beyond a low cost holiday for most people. Many of these people are attracted by the sense of the Australian bush and the natural environment. Some may have sufficient money to stay in expensive resorts but they seek these semi-isolated places because they offer comradeship and friendship from the local community. Also, the people in these areas are not caught up in the technology and hustle and bustle of modern life which faces many people in our towns and cities. It is a very important part of the Western Australian culture for people to have the right to use facilities such as those at Wedge Island.

The Government has responsibility for these areas and, therefore, it must look for a means of ensuring that controls and management are put in place. The Government should look for some means of regularising the holding and use of land in that area. It should be done as cheaply as possible so that people can still afford to have a holiday there, away from the commercial world, albeit at a lower standard than would be provided elsewhere. These people provide an important service to the area, not only by trying to maintain it but also by providing a contact point when accidents occur in that area. When I was there recently I noticed a large number of tourist four-wheel drive buses go through the sand hills to the Pinnacles and Nambung national park. If an accident occurs, the people there can render first aid. There is a sense of community, and that service is provided. That is a benefit to the wider community. These people are not just taking from the State, but are willing to contribute. We should allow them to stay, provided they meet the requirement to preserve the environment and provide proper administration.

The last matter in the Bill relates to amendments to the Parks and Reserves Act. This primarily affects the boards which administer land. The amendment will increase the quorum of boards from one-third to one-half. It also ensures that those boards have certain powers to lease land. I am not clear why this is necessary. The boards have leased the land in the past, but I understand legal advice has been given that the validity of such leases could be in doubt. I am not a lawyer and it looks like legal overkill to me, but this provision is included to ensure boards have the power to lease land and that no doubt can be raised about the validity of those leases. The amending clause states that a board that is constituted a body corporate and has land vested in it, has the power to lease and shall be taken always to have had the power to lease that land, subject to the Land Act.

The Parks and Reserves Act establishes boards and those boards have responsibility for a range of areas, such as the recreation council of the Ministry of Sport and Recreation, the Burswood Park Board, and the King's Park Board. The Opposition supports the amendment.

[The member's time expired.]

MR D.L. SMITH (Mitchell) [4.19 pm]: I firstly refer to the comment by the Minister who has responsibility for the Bill in this House, that Cabinet approved the drafting of a proposed land administration Act in May 1993 but to date it has not given priority to that drafting.

Mr Lewis: I did not say that at all.

Mr D.L. SMITH: That is certainly in the second reading speech which reads -

In May 1993, the Government approved the policy and drafting of a proposed land administration Act. Due to other priority drafting, this proposed Act has not yet been completed.

I express my disappointment that it is now May 1995, and two more years have passed before the Government has presented a completed land administration Bill. I have said a number of times in this place that in my view the Parliamentary Counsel in the Ministry of Justice is grossly understaffed and under-resourced. I know when one talks to its officers they always say that they are coping with the priorities that the Government sets. The truth of matter is that a huge number of important Bills are simply languishing because Parliamentary Counsel staff do not have the resources to deal with them as they properly should.

I know that the Land Administration Act was subject to redrafting when I was the Minister. In fact, I thought that before I ceased being Minister I had taken it to Cabinet for approval to redraft. Perhaps the papers had been prepared and I had not actually taken them to Cabinet and that is why it did not happen until May 1993. However, that is no great credit to me personally because a number of previous Ministers were involved in the redrafting of that legislation. For legislation that has been so long in getting to Cabinet for approval for drafting, it is even more disappointing that we have had to wait for a further two years for completely new legislation to come before this place. After all, one cannot say that the granting of title and leases for, and the management of, Crown land is not an important issue for the Government. It is one of our biggest assets in this State. We still control some 70 per cent of all land in Western Australia and it is very important that we have a modern and up-to-date Act. I am very regretful that two years after Cabinet approval for drafting, it apparently still does not have enough priority for this Minister or the Minister for Lands to tell us when they expect the new Bill to be introduced into this place. It is now two years since Cabinet approval and no priority has yet been allocated to the Bill. In his reply I invite the Minister to indicate to the House when he expects the new Bill to come before this place.

Secondly, I refer to some of the amendments being effected by this Bill. The first amendment relates to section 9 of the Land Act. On the face of it, I wholeheartedly support it. Section 9 as it presently stands was intended to allow the issue of grants or leases to Aboriginal persons in circumstances where the Minister felt that they could not

compete equally to be selectors under the provisions of the Land Act where one can apply, in effect, for the grant of a lease of Crown land. Specifically, it required the Governor to be of the opinion that such a person was liable to be at any disadvantage with respect to an application for, or the acquisition of, land under the provisions of this Act because of his descent. I agree that the way that is framed is wrong, because it refers to the capacity of the person in terms of the application and not in terms of need or use and because it does not allow the issue of title in all circumstances in which I think it would be appropriate. To that extent, if one accepts on face value what the Government has told us in the second reading speech, it is easy enough to accept the amendment. It is even more acceptable because it removes the limitation that previously applied to grants under section 9; that is, being limited to a size of grant permitted under section 47. From memory, that is an area of 4,000 hectares. Certainly, I wholeheartedly endorse the removal of that constraint.

However, I was concerned to note that when the Minister in his second reading speech was explaining this clause he said that recent Government initiatives to give more direct responsibility to Aboriginal communities in relation to land matters by way of grants of perpetual leases would be processed in the Pilbara region in the near future. Prior to that he said that, in effect, these amendments are required to support Government policy. When it comes to Government policy in relation to the issue of land, the question of land rights and native title, I get very concerned when the Minister says that somehow or other these changes have to do with the Government's policies and not with meeting the objectives that I indicated before seem to be at the heart of the amendments. I would like, firstly, an assurance from the Minister handling the Bill that it is not the Government's intention to use or misuse section 9 in a way that would frustrate applications under the commonwealth native title legislation and that it will not use it in such a way that it plays the arbiter between competing Aboriginal groups in any part of Western Australia.

Mr Lewis: Can you explain that? You said something nefarious there.

Mr D.L. SMITH: It may just be paranoia on my part and my attitude to the dealings of this Government in relation to Aboriginal people, especially in respect of land rights. I would just like the Minister to assure me that he will not use the power under section 9 -

Mr Lewis: There is no power. There needs to be an application.

Mr D.L. SMITH: No, there does not need to be an application. That is the very nature of section 9 of the Land Act. It states -

Without prejudice to the provisions of this Act relating to the right of any person descended from the original inhabitants of Australia to apply for and acquire land -

Mr Lewis interjected.

Mr D.L. SMITH: No, that gives them the same rights as anyone else to apply in the ordinary way. But the Government then has the right if in the opinion of the Governor such a person - that is someone of Aboriginal descent - is liable to be at any disadvantage. With respect to such applications, he may make the grant notwithstanding that the person does not apply in the ordinary way.

Mr Lewis: Why would you grant something to someone if he did not want it? It just does not make sense.

Mr D.L. SMITH: The Minister should listen to what I say and give me the assurances that I feel I need. As a result of the Mabo decision, not only does it confer rights upon Aboriginal groups and individuals but also it enables competing claims to be made by different groups of individuals. What I hope will not happen under this provision is that the Government plays off one group against another on the basis that it may, by using section 9, give some advantage to one group or another in applications under the commonwealth native title legislation.

The second assurance I seek from the Minister relates to the intention under section 9 and

not using this section to get away from the general policy of Aboriginal land title grants in Western Australia normally being given to the Aboriginal Lands Trust with the right of occupation and lease and then going down to particular community groups. I would like an assurance from the Minister that it is not the Government's intention to have a policy of moving from grants through the trust to direct grants to Aboriginal groups, communities and individuals.

Mr Lewis interjected.

Mr D.L. SMITH: I have no problems at all in relation to one doing it with the best motives in the world.

Mr Lewis: But you are saying that it can only ever be used to grant to a community group.

Mr D.L. SMITH: I am not saying that at all. In the past there have been general policies governing these issues. I want to know from the Minister whether the amendment of this section presages any change of past policy in that regard. I am one of those, unlike others on this side, who sees the advantages on occasion of making direct freehold grants to communities, families or even individuals.

Mr Lewis: That is what the legislation is intended to do.

Mr D.L. SMITH: I see it as entirely appropriate that the Minister and the Government should have a discretion about what is best in the circumstances. I would not like to see a policy shift which says that is always to be preferred to the Aboriginal Lands Trust approach, because it is an area where in effect we are trying to recognise the importance of the association between many Aborigines and the land. In many cases that association is between communities of Aborigines and tribal groups rather than in an individual sense of propriety as we who are of non-Aboriginal descent seem to feel is necessary. Can the Minister assure me that all that is intended by this is to shift away from a question of need to a general power to advance, and to remove the restriction on 4 000 ha? I applaud that, but it worries me that these urgent changes are being effected because of some policy need of the Government.

Mr Lewis: There are impending leases.

Mr D.L. SMITH: It is fine if it is an instrument to effect those grants, but if it is an instrument to a real policy change in the processes of those grants, the Government has the obligation to inform the Parliament of its true intentions and the ways it will be used. If my concerns are simply a case of paranoia, I apologise, and I welcome the amendments. However, it worries me - even though I cannot see it as a lawyer - that the motive involves government policy rather than advancing the needs of Aborigines in Western Australia.

I refer to the question of the ability to remove unauthorised structures. We should not encourage or support anyone starting unplanned developments, especially on coastal areas in Western Australia. In the future we need the powers and provisions to deal with those developments. As I have said to some of the people who have written to me from my electorate, I have been quite surprised at how many of my electors own these cottages. With an established community, questions of equity and justice arise, because they have been in occupation for a long time and they have expended substantial amounts of money in improving areas. In many cases they have supported the infrastructure in those areas and cared for and enhanced the environment rather than detracted from it. In those circumstances, especially for people who are getting on in years, suddenly to be deprived of the place they go to for warmth in the winter would be very unfortunate. We must be careful in those established areas in utilising the powers for removal that these amendments will enhance.

It has also been argued that some fishing villages, especially in the area between Geraldton and Perth, have achieved the status of heritage value, and certainly tourism value, in the sense that they are unique. I am told that tourists call in at those villages in substantial numbers to illustrate what an Australian fishing village looks like in a unique environment. We may jokingly say that people say that when it is their shack that is

facing demolition, but the truth is that there are a couple of examples of those, especially in the area that I have mentioned. We occasionally have to say that equity, justice and fairness, and some concern for the heritage aspects of these matters, call for something different to be done. Windy Harbour is the best example around Western Australia where lease arrangements have worked satisfactorily, and Burns Beach is an example of freehold. I urge the Minister, especially for the established villages, not to simply move in and demolish every one of them, but to allow people to put up arguments before the final decision is made and the Government of the day considers whether either of those alternatives might be appropriate in those circumstances.

I would like to see a greater power on the part of Minister to consider granting longer extensions to individuals. Some examples have featured in the newspapers where individuals and families, especially elderly persons, have been severely disadvantaged by some of the demolition that has gone on. In those cases we should have the courtesy, and give the Minister the power, to say that he is prepared if it is an elderly person to grant a lease for the rest of that person's life or some other period longer than the current amendment envisages or to defer the date of demolition.

The third aspect of the Bill deals with the powers of boards to lease. As a lawyer I was a bit concerned about the brevity of drafting. I am not a parliamentary draftsman, but clause 11(c) simply says -

Subject to section 5 (3), (4), (4a) and (5), if a Board that is constituted a body corporate under subsection (4) has land vested in it under section 33 of the Land Act 1993 with power to lease, the Board has, and shall be taken always to have had, power to lease the land under and subject to the Land Act 1933.

My concern is that the Land Act provides varying powers to lease, and I want an assurance that the terms of the leases we are contemplating will not be extreme, that preferably the normal 21 year maximum period will apply and certainly commercial leases will be much less than that. Generally speaking the power to lease to a community body for some community purpose is utilised only in what would normally be tendering arrangements in the commercial use of the land. I agree entirely that it is necessary for the boards to have clear powers to lease and I am concerned that the question of that power should have arisen. It is important to rectify that as soon as possible. I hope in the process that we do not overstep by making the power so wide that we lose some of the constraints that are appropriate, given the nature of the board and the landholding. Will the Minister confirm that those leases will always be subject to ministerial approval or confirmation? The greatest safeguard under the Land Act is that they come back to the department for advice and to the Minister for formal approval before they become valid. Will the Minister advert the House to any particular cases of invalidity that need to be rectified by this provision? I recognise the great need of the power in the future; I hope that the general power of validation that is given by this legislation will not be used to validate leases which might fail for some reason other than the question of whether the board has the power to lease. If the Minister feels that for reasons of confidentiality they cannot be discussed, could he make them known to me or the shadow Minister and advise why it is thought they need to be validated in this way? I commend the Bill to the House.

MR LEWIS (Applecross - Minister for Planning) [4.40 pm]: I thank members opposite who have spoken on this Bill and for their general support of it. During the debate a series of questions was asked. I will answer them to the best of my ability bearing in mind that I am not the responsible Minister. Anything I cannot answer at this time I will endeavour to have put in writing to the shadow Minister. The member for Nollamara asked whether a community owning a pastoral lease could convert that to a perpetual lease. Technically, it could be done. However, agreement for such a conversion would be subject to policy considerations bearing in mind that a pastoral lease usually takes in hundreds of thousands of hectares. If it were to be made a specific community lease, for example, it might not be appropriate to lease all that pastoral land under that provision. In other words the pastoral lease would be surrendered; that specific lease for the community would be leased back, and another pastoral lease struck for the remaining

portion. It is important to examine the purpose of the community lease bearing in mind that most living areas are between 200 and 1 000 hectares.

Mr Kobelke: I asked whether you were able to get advice from the department about how many cases might be caught up in that situation.

Mr LEWIS: I refer to the two Aboriginal communities to which the member referred, the Jinparinya Aboriginal Corporation and the Yungaleena community. The member had them relating to the wrong areas. The Yungaleena community is at Port Hedland and the other is on Mulga Downs. They are awaiting the passage of this legislation so that those community leases can be issued to them. This legislation has been brought forward in advance for no other reason than to grant these leases.

Mr Kobelke: Are you aware of the obstacle to granting those leases under the existing legislation?

Mr LEWIS: I do not know. Two former mission communities have sought, and have received, freehold title from this administration; that is, the Kurrawang Aboriginal Christian Centre at Kalgoorlie and Marribank at Katanning.

Mr Kobelke: In their case these amendments have no effect?

Mr LEWIS: No, because they have already been issued.

The member asked about the five former missions in the Kimberley which are apparently being relinquished by the church: I am advised that an agreement has been reached between the church, the community and the Government whereby those missions will be handed over. Unfortunately - on the basis of why the leases have not been affected, not because of what has happened regarding native title - the High Court's decision has got in the way of that and there are a few hiccups with the agreement. It has been put on the back burner until those problems can be worked through so that those agreements can be honoured at the end of the day. As I understand it, this legislation is not holding it up; it is the native title legislation.

The member for Mitchell made the point about individuals and communities still having the ability to take a lease or Crown grant. The Nyoongah community in the Swan Valley at Lockridge was offered a Crown grant in the name of the community, but it opted to take a lease.

Mr Kobelke: Has it taken a 99-year lease?

Mr LEWIS: It was a lease on the reserve. For its own particular reasons that community did not want the grant, as I understand it.

There is no preconceived rationale in putting these amendments to the Parliament so that the Government can do something suspicious or untoward. We are doing it on the basis of expediting the granting of those leases, bearing in mind the Government decided, I think, in September to do so.

Mr Kobelke: Can you be more explicit about the intention of the grants you referred to in the Kimberley?

Mr LEWIS: The Catholic Church is surrendering those grants in trust. I think it will be getting a perpetual lease.

Mr Kobelke: You are not sure whether this legislation is required for those cases?

Mr LEWIS: I think they are held up as a result of the technicalities of the native title legislation.

Mr Kobelke: Is the form of lease contingent upon this legislation?

Mr LEWIS: I cannot tell the member. There is no ulterior motive in the section 9 amendment. It is to facilitate the issuing of those perpetual leases which are pending and there is no ability to do it otherwise.

The member for Mitchell asked why the land administration Bill has not been brought forward. It is because of the complications resulting from the native title legislation and

the Mabo decision. Some aspects of that will be germane to the Native Titles Act. My advice is that the first draft is to hand and it is to be considered later in the month when a timetable will be put in place for its introduction.

Mr Kobelke: Will you pass on to your colleague the Minister for Lands a request that there be some form of public consultation in the final stages of that drafting, particularly with various professional groups which have a keen interest in land tenure, before the Bill is introduced so that we have proper public consultation?

Mr LEWIS: Fair enough. The member asked whether powers have been delegated to local government authorities. There are sections in the Land Act that allow the Government to delegate powers to local authorities in some circumstances.

Mr Kobelke: That is an important point. What safeguards are in place if a local government authority is seen to be dealing unfairly with squatters and what recourse will they have to the Minister? What appeal processes are available to the Minister, the courts or the Government?

Mr LEWIS: They have a right of appeal to the court currently. However, that provision is being amended in this legislation so that there will be no appeals provision. It should be understood that the policy that was inherited from the former Administration is that squatters will be given six years in the form of a lease with a local government authority. After the six years expires, the squatter will be obliged to honour his side of that lease arrangement. If a squatter does not honour the lease arrangement, the authority will be able to take the necessary action.

I have a similar philosophy on squatter shacks to that of the member for Mitchell. I do not think that, just because somebody is a squatter on a parcel of Crown land, the Government can move in and kick him out. In all things to do with government, we have to have good reasons for doing something. Those reasons include endangering the environment and serious health problems because of inadequate garbage and sewerage facilities. There should also be order in that community. People have to do the right thing, particularly with regard to tracks through the bush, etc. I believe there should be order in our society and that local authorities should have the ability to exercise discretion. I accept that there are cases such as Windy Harbour where the local authority has entered into an arrangement with the squatters. I am not sure that these people like to be called squatters.

As I said, I do not accept that, just because somebody is squatting on a parcel of Crown land, he or she should be removed. Many of these communities have been there for a long time. Many of them may involve a bit of heritage, as the member for Mitchell said. Many of them may even support a fishing industry on that part of the coast. However, some order should be brought to those communities. Even though they do not own the land, local government or the Government should consider measures for allowing them to stay provided everything is taken into consideration, including degradation and pollution of the area. That is my position, and I am sure it is the position of the Minister for Lands.

Obviously, some local authorities are hard-nosed. However, this Government must listen to local authorities bearing in mind that they have control of these areas. As I said, the Government has allowed for a long lead time for these people to vacate these areas. At the end of the day, the power to remove them will be exercised by the Government only as a last resort.

Mr Kobelke: That is a very reasonable approach and one that I support. However, no information has been given to me about the situation at Wedge Point. It seems that that case involves the potential for future costs for the Government. The comments made by the Minister have no real relevance to the situation at Wedge Point. Therefore, the Minister may be able to reach an accommodation with those people.

Mr LEWIS: I am not the Minister. I have been to that community and I accept what the member said. I think those people recognise that they are impacting on the environment and that they will have to do the right thing. However, I cannot on behalf of the

Government give an opinion of what may or may not happen. All these powers are reserve powers that should be used only if a reasonable outcome cannot be attained.

The member also asked about the validity of leases granted by boards. He also asked whether there are any outstanding that boards may want to make legal following the passage of this legislation. My advice is that there is none. The amendment really came forward because the Crown Solicitor's Office wanted to remove any doubts that a specific leasing power should be included in this amendment to the Land Act. To the best of my knowledge, nothing is outstanding and there is nothing that is seen as being invalid at this time. It is a fail-safe provision on the recommendation by the Crown Solicitor's Office so that, if in future there is a challenge, there will be no argument.

If there are any other questions that I have not answered, I hope that I can find them in *Hansard* and answer them. However, I think I have answered them all. I thank members for their participation in the debate and commend the Bill to the House.

Bill read a second time, proceeded through remaining stages, and passed.

SECURITY AND RELATED ACTIVITIES (CONTROL) BILL

Second Reading

Resumed from 8 December 1994.

MR RIEBELING (Ashburton) [5.00 pm]: I support the Bill.

The **ACTING SPEAKER** (Ms Warnock): Order! I ask the member whether he is the lead speaker for the Opposition on this Bill?

Mr **RIEBELING**: No, I am not.

I will go through the history of the Bill and then draw the Minister's attention to my concerns in the hope that, when we reach the Committee stage, he may be able to satisfy my concerns by moving the necessary amendments which will make it the piece of legislation which the Western Australian public hope it will be.

In August last year there was a great deal of publicity about the actions of bouncers and the organised crime that was involved with them throughout this State. Members will recall the numerous articles in *The West Australian* publicising the problem that customers of the night club and hotel industry were confronted with because of the thugs and the criminal elements which were controlling the bouncer organisations. This Bill is an attempt to rectify that situation. Overall this is a good piece of legislation which should achieve what the Minister is seeking. However, there are a couple of problems which I will bring to the Minister's attention and I hope he will address them when he responds.

The Minister said in his second reading speech on 8 December last year that the vesting of the responsibility for administering the legislation would be in the hands of the Commissioner of Police. It does seem to be a sensible solution; however, I ask the Minister to consider the consequences of not putting that responsibility into the hands of the courts. The courts should determine the suitability of people to be agents in accordance with the provisions of the Bill. I am not concerned about the licensing of bouncers because the Police Department is a suitable authority to do that. I have a problem with the licensing of security agents. The Minister should seriously consider giving the courts the responsibility to determine whether a security agent's licence should be granted to an individual or a corporate body.

The aim of this Bill is to ensure that organised crime does not spread throughout the industry. The problem I perceive is that, by virtue of the security agent's provision of this Bill, organised crime could spread throughout the industry. Clause 55 of the Bill gives the power to the authorised officers to inquire into the activities of those people seeking a licence who have more than a 25 per cent shareholding in any business. On the face of it, that appears to be a sensible provision. However, members are aware that in matters of crime involving corporate law it would not be difficult for a group to structure

its company so that an individual does not carry more than the required shareholding. Of course, the principal of each company would have to be above reproach and that is a fine thing to achieve. It would not be difficult for an organised crime group to find an individual whom it could put up as the front person and to structure the company behind that person so that the criminal nature of its activities can continue and flourish.

The correct authority to license agents is the courts. Problems within the Police Force are often blown out of all proportion in the Press. Unfortunately, there are, on a regular basis, allegations of police being involved with criminal elements. Over the years a number of police officers have been charged for their involvement in organised crime. In the *Sunday Times* of 14 August last year it was alleged that not only police but also politicians were involved in the criminal groups within the bouncer industry. I do not know at whom that article was directed, but that is the problem I perceive if police are given control of a licensing system which may provide the opportunity for criminal elements to infiltrate the industry.

The Bill allows that to occur by way of the clause which refers to the corporate structure and gives police the power to investigate the activities of people who hold more than 25 per cent of the shareholding. I do not know whether the Minister will give consideration to amending clause 55 to allay my fear. By the time we reach Committee I hope the Minister will have considered whether the licensing of security agents should be placed in the hands of the court system so that there is no opportunity for organised crime to infiltrate the industry. This Bill should provide the solutions to the problems which were highlighted during the past 12 months. Articles in the Press in that time have indicated that seven or eight charges have been laid against bouncers. It was alleged that a number of the offenders were part of a group of bouncers which terrorised the Northbridge area during that time. Fortunately there has been a slowing down of that problem. I know that the Minister set up a special task force within the Police Department to attend the trouble spots in Northbridge and that appears to have brought about a solution.

The ACTING SPEAKER (Mr Johnson): Order! I ask members to keep the background conversation to a minimum because the Minister, the Hansard reporter, and I are having problems hearing the member on his feet. Perhaps if the member speaks up it would be helpful.

Mr RIEBELING: Some parts of the Bill are refreshing and will allow the industry to build its reputation on the good actions of the police who will control the industry. The licensing of bouncers by the Police Department is an outstandingly good idea and it will enable the police to act quickly to revoke a person's licence if he commits an offence against another person. It concerns me that the credentials of a licensing officer are relatively vague, especially when one considers all the things he must take into consideration. For example, the Bill should specify what type of criminal record prohibits a person from holding a licence in this State. Such concerns could then be appealed to whatever authority the Minister determined. I presume the decision of a licensing officer will be appealable to a court or panel, and perhaps the Minister can advise whether that setup will be in place.

I have some concerns about clause 9. The wording in this clause appears regularly in Bills which regulate people's behaviour and the like. The clause provides that the commissioner, a member of the Police Force or an officer of the department is not liable in civil or criminal proceedings for anything done or omitted to be done, in good faith. That clause promotes the concept of incompetence. Some sanction should be available against people in the Police Force who make decisions that have an adverse effect on people who are trying to enter the industry.

I am concerned about the necessity for a person who wishes to work as a security officer to be employed by a security company rather than work in his own right. I cannot understand the reasoning for that provision. If a person wishes to work for a large security company, that is his choice. However, to specify that such a person must be employed by a security company gives a huge advantage to those companies which provide the services of bouncers and security officers and discourages individuals from

seeking employment with employers who prefer to employ an individual. That is difficult to understand and I ask the Minister to explain the reason for that provision.

Mr Wiese: What you have said is not correct, and I will explain it.

Mr RIEBELING: That must be explained fully to the public of Western Australia, particularly in light of the article in the *Sunday Times* which I mentioned earlier and which implied that police and politicians were involved in the security industry. It is important that the Minister for Police dispel any belief that politicians who are involved in the industry, presumably in the organisational structure of security companies, will receive some benefit from this legislation. I believe security companies will receive a significant benefit from this monopoly situation. The Government appears to be hell bent on deregulation, yet this provision will inhibit small operators from operating effectively in this industry.

Some of the activities of bouncers in the State have been well publicised, and there is no doubt in the mind of the public that criminal elements have infiltrated the industry and have done a great deal of damage. I am aware of incidents where bouncers have shown unjustified violence towards patrons, and that has caused a great deal of concern and damage. I know of one young chap from my electorate who went to a nightclub 18 months ago and two of his friends were ejected from that nightclub. He tracked them down and then went back to the nightclub to finish off the beer that he had purchased for his two friends, but on his way in the bouncer hit him from behind and assaulted him. He then had the misfortune of thinking he had been assaulted, and he went to the local police station and, because he was somewhat intoxicated, the police locked him up. The next day, when he was asked in court what happened, he said he could not work it out; he had gone to the police to complain about an assault and had ended up in the cells, yet the bouncer did not. That sort of behaviour highlights two problems: Firstly, we have people in the industry who have a propensity to use force; and hopefully this legislation, if I have read it correctly, will address that problem. Secondly, for a period of time the Police Force has been reluctant to charge bouncers. However, in the last 12 months the number of bouncers who have been charged indicates that the reluctance to charge bouncers has now passed, and I applaud the Minister for convincing the new Commissioner of Police that anyone who is assaulted by a bouncer should have recourse through the police to ensure that the person who committed the offence is subjected to the full force of the law. That is a positive move.

I look forward to the Minister's response, and if the Minister takes seriously what I have said about the need for the courts to look at registration and about the role of security companies, this Bill will be worthwhile for the State.

MR CATANIA (Balcatta) [5.18 pm]: Mr Acting Speaker (Mr Johnson), I apologise for not being here on the call. I, like my colleagues, welcome this legislation, although it has been a long time coming, and the Opposition will support the Bill. We hope that in the Committee stage we are able to convince the Minister to make some amendments to the Bill which will greatly improve it. The delay by the Government in introducing this Bill has created an environment where thugs, criminals and bullies hiding behind a doorman's uniform, have used their position to bash innocent and defenceless people. The thrust of this legislation, which was introduced in September 1994, was to control a spate of assaults by people acting as bouncers. This is a high profile area of the security agents' profession. The situation attracted a lot of publicity at the time because up to 27 charges had been laid against people for allegedly bashing innocent patrons attending entertainment venues. It is not easy to make such charges. The police were reluctant to do so because it was difficult to obtain evidence, or to get people to testify that they had been assaulted by a bouncer, because bouncers act as standover merchants and victims feel threatened.

The Opposition introduced its Security Agents Amendment Bill in 1994 because it appeared that the Government did not seem to understand the gravity of the situation. Bouncers were being charged with unprovoked attacks; they were used as standover merchants, and peddled drugs in entertainment venues. They were charged on a weekly

basis last year as a result of a spate of such offences. Some people are still facing charges. In the security agents' profession these people are commonly referred to as bouncers. The Commissioner of Police and members of the liquor industry have asked that this area be regulated and that the current Act be amended or a new Bill introduced - and this has now been done - to address this serious problem. I hope that this legislation is quickly put into operation because we do not want the current situation to continue. We certainly do not want the same situation as we have with the Pawnbrokers and Second-Hand Dealers Act, which passed through both Houses but is yet to be proclaimed. The Opposition addressed the problem by introducing a Bill late last year when the activities of bouncers were of concern. We thought that a quick decision would address the problem immediately and resolve the problems. That was the intent of the Opposition's Bill.

We welcome this Bill. It is comprehensive and it deals with all sections of the security business. I hope that this legislation does not take as long as other legislation to come into operation, because we do not want the present situation to continue. Currently, we do not have effective legislation to deal with the problem. We must get rid of these hoods who masquerade as crowd controllers in entertainment areas. These people are nothing but hoods and criminals who like to assault people and flex their well-developed muscles, which they have built up either at the gymnasium or by using steroids. We hope that this legislation comes into operation quickly so that we can control this high profile element of the security agents' business.

The Bill deals with three main areas - the licensing of persons engaged in work related to crowd control; property protection - patrolmen as we know them; and investigation and surveillance - or private investigators. These matters are dealt with adequately by the Bill. However, a number of changes are necessary to make the legislation more effective. Part 3 of the Bill, the licensing of security activities, deals with the carriage of firearms. I have received correspondence - and I am sure the Minister has - and I have been contacted by people, especially those patrolling properties, in this regard. People have lobbied me to support them in their aim to carry firearms. They say they must carry firearms because when they are on roster, patrolling properties, and they can see the property has been broken into - perhaps an intruder is on the property and they are confronted by the intruder who may be armed - they feel defenceless because they do not carry firearms.

Some people may sympathise with that point of view. However, I am happy that the Minister has resisted approaches by people who, for various reasons, wish to carry firearms. If we allowed security personnel to carry firearms while patrolling properties, we would send a message to the criminals that they must carry firearms as well. We would face the same situation faced by the United States and other countries where criminals, who may not normally carry firearms - they may be armed in other ways - feel they should also be armed in that way. The Opposition congratulates the Minister for resisting such approaches. I have been approached and lobbied extensively in that regard. The arguments seem quite compelling because people say their lives are in danger, or they may be assaulted by criminals who are better armed, and they would like to carry firearms. Part 3 of the Bill deals with the matter adequately, and we support those provisions.

Part 4 deals with the licensing of crowd control activities. This relates to inquiry agents, or the people commonly known as private detectives. These provisions also are supported by the Opposition. This is a sensitive issue because private detectives investigate the character or conduct of a person, and they trace missing persons. It is an emotional and sensitive business. People involved in that occupation must be fit and proper persons. The issue of private investigators' licences or licences for inquiry agents must be addressed. The Opposition is pleased that the matter has been appropriately addressed in this part of the legislation.

This is a popular issue. We have seen many movies and television stories based on private investigators and the things they get up to. We would not want to see those things happen in real life. I am quite confident that part 4 will deal with that quite effectively.

Part 5 deals with licensing of crowd controllers or bouncers. It is a very important provision. This provision formed the centrepiece of the legislation that we introduced late last year. Individual licensing of bouncers and the scrutiny of that licensing are exceptionally important. If we can control those people by licence, it will go a long way to influencing their behaviour. That provision was sadly lacking in the previous legislation. It had no accountability or scrutiny provisions. That is addressed adequately in part 5.

The Opposition welcomes this legislation; however, during Committee we will suggest various changes which apply mostly to part 5. They will also apply to penalties for transgression of some of the provisions in parts 4, 5 and 6. I sincerely hope that our amendments will be taken up by the Minister. The current very topical issue of carrying firearms comes within part 6 which deals with the control of armed bodyguards. Sometimes as part of their job persons will carry firearms - for example, in the protection of visiting dignitaries. Under the legislation the Commissioner of Police will have the power to revoke the authority to carry a firearm if a bodyguard has come from interstate or overseas or does not have to apply for a licence under this provision. Perhaps that person may carry a firearm under commonwealth law. I am delighted that that has been addressed within this provision.

The licensing procedures referred to in part 7, which deals with the Commissioner of Police having the authority for the carriage of administration of the Bill, contrary to the concern expressed by the previous speaker, do not cause me any concern. It is appropriate that the Commissioner of Police control the licensing procedures. The policing and the general infringements that occur in the security area must be controlled by the Police Force. In doing so, it needs to control the procedure, to have the ability to conduct intensive character checks of individuals and businesses. I am in full agreement with that and support this provision.

I am also supportive of the fact that the commissioner has the power to revoke a licence. An avenue of appeal must be included in a Bill that comes from a democratic institution. However, I hope that we do not see the same outcome of an appeal that was mentioned in a question asked in this House earlier today, in which a person's appeal was upheld when that person did not warrant holding a licence, as was the case in Geraldton. This provision gives the ability to issue licences for three years, rather than one year. The procedure for a three year licence is less time consuming and is much more cost effective. The ability of the commissioner to revoke licences forms part of the accountability process. If a body corporate, a business or a person needs to have its licence revoked, the commissioner can do that at any time during that three year period.

Part 8 refers to the obligations under the licence. We all agree with them. I will talk about that in Committee. Part 9 is very important and central to the legislation. It deals with the random testing of licensed crowd controllers. We have seen reports on a number of occasions when crowd controllers - bouncers - have been found during their duties to be conduits through which drugs are peddled within the community. Entertainment areas are used as the distribution points for drugs. We also know that crowd controllers take amphetamines and anabolic steroids to build up their strength to enable them to do their job.

Any survey of entertainment areas in Northbridge and elsewhere would show that crowd controllers look as though they just stepped out of a gymnasium. They are well built because they want to give the impression to patrons that they should not tackle them because they are well tuned in case of a good stoush, if necessary. Research has shown that their taking anabolic steroids results in aggressive behaviour which manifests itself in bouncers assaulting patrons without any rhyme or reason. Sometimes bouncers are confronted by antagonistic, perhaps drunken, patrons and they must have a lot of patience in dealing with them. Reports in the Press indicate that on most occasions those patrons have had the hell beaten out of them for no, or very little, reason. Perhaps a little training in public relations would have averted any assault on a particularly stropky patron of a nightclub.

The use and supply of drugs, which we have been led to believe is common practice among this sort of culture, will be dealt with through the provisions of part 9 of this Bill. In random tests, either urine or blood samples will be taken and tested, so that it will be possible to detect whether an officer or crowd control security guard is taking drugs. If the person is, that will disqualify that person from participating in this occupation. That police have the ability to insist on random testing is a very pleasing aspect of the Bill. It should have been introduced some time ago. I commend the Minister for having this provision as part of the legislation.

Other provisions in part 10 deal with police powers to enter premises and confiscate and search records, and to deal with partners and partnerships, and where a body corporate exists and there is joint liability, to determine whether the employees of that partnership or body corporate are involved in inappropriate action to that position. The Act deals quite appropriately with all sections of the security industry. It deals with that section we are all concerned about, which is the section of bouncers who are the crowd control personnel at entertainment centres. It deals with them quite adequately by requiring that they be fit and proper people to hold a licence. They must undergo a training program and prove their fitness to hold an individual licence. Obviously they must also not be taking drugs, which not only influences their physical aspects but also affects their deportment and behaviour. I certainly support the provisions of the Act. We will make various recommendations and amendments during Committee.

I would like the Minister to consider some questions that I noted down when going through the Bill that he could answer perhaps during the Committee stage. If the commercial agents squad is to handle the Bill, are extra staff and resources to be allotted to that area? That is very important. We cannot give just another responsibility and another Act to the Commissioner of Police and the police service without giving them the resources, be they human and/or monetary, to deal appropriately with the provisions of this Bill. It is a very comprehensive Bill, which establishes a training period for bouncers and security agents, and it necessitates the keeping of records of licence holders. Therefore, it requires personnel, space and funds to be allotted to it. Who will conduct the training sessions and establish the training format? Will it be the commercial agents squad or a private operator? Will it be established and designed by private enterprise or within the Police Force itself? How are training sessions to be conducted in the country, especially in the larger regional centres? Will they have to come to Perth or will anybody be given authority in the regional centres?

The last area I want to deal with was touched on by my colleague, the previous speaker. I too do not understand the reason for it. The Bill specifies that a licensed individual must be employed. I would have thought that a security guard, once given that licence, would have the authority to be employed in his own right by another person, body corporate, partnership or licensed premises. Why is it that provisions of the Bill state a person must be employed or contracted through a security agent, firm, company, partnership or whatever? I find that provision in the Bill peculiar. I would like the Minister to explain the reason for it. I can give many examples, such as builders' licences and real estate licences. A prospective employer is able to contact a person and say, "I would like you to work for me under these conditions." Why is it that an individually licensed security agent or bouncer cannot be given the same privilege? In this country the vast majority of businesses are small businesses. An individual might like to act in his own right rather than have to work under the constraints placed upon a body corporate or a company.

Under this legislation the individual must go through the process and expense of going to Corporate Affairs and registering as a company so that he may act in his own right. This intrudes on the rights of that individual. Why issue an individual a licence if it is not capable of rendering to that individual the privilege of acting independently of a company? As I say, this places on an individual the burden of going through the process of forming a company and then promoting himself or herself as a company in order to be employed by an establishment that requires a security guard or bouncer. It is an impost by the Government in the area of small business. The shine of this Bill is dulled somewhat by that provision. The Bill is weak in that provision and in some of the

penalties, although some of the penalties are very high and deservedly so. I commend the Minister for that.

In other areas the penalties and provisions could be dealt with by the Criminal Code. This Bill could have provisions containing a gaol term. It could make it a criminal act to act without a licence and to act in contravention of the provisions of this Act. Such action could be treated as criminal behaviour. Some of the actions of bouncers come under the umbrella of criminal behaviour. We want to send a signal to the community through this Bill that we will not accept criminal behaviour conducted by thugs and hoons who want to bash up innocent people. The Bill is weak in the two areas I have mentioned. I sincerely hope that during Committee the Minister will give a proper explanation for the reasons the legislation has been framed in this way. I also hope that we can convince the Minister to agree to an amendment which will give individuals the opportunity to exercise their rights as soon as they have gone through the process of obtaining an individual licence.

The Opposition supports this Bill which is belated and I sincerely hope that it passes through both Houses quickly and is proclaimed as soon as possible because the police, the public and the entertainment industry fully support it.

MR WIESE (Wagin - Minister for Police) [5.52 pm]: I thank members opposite for their support of the Bill. I regret I only have 10 minutes, but I will try to deal with the issues raised. The matters I do not have time to address now, I will address during Committee.

The member for Ashburton expressed concern that the licensing responsibilities will be taken out of the courts and given to the Commissioner of Police. The licensing requirements for private investigators were previously handled by the courts, but under this Bill all the licences will come under the control of one authority. Previously when an application went before the courts the police were required to go into the court and vouch for the bona fides of the person making the application for a licence. Under this legislation that will no longer be the case and the weight will be taken off the courts. The ability of people to appeal the decision of a licensing officer is retained in this legislation.

The member also raised concern that corporate bodies could be the front for criminal activities by obtaining a security or crowd controller's licence. The reality is that if a corporate body applies for a licence the bona fides of all the directors will be carefully considered. If any of the directors or partners of the corporate body have a criminal record that body might be struggling to get a licence. The member asked what type of criminal record would determine whether an applicant would be ineligible for a licence. If a person has a record of violence his application will be closely considered to ascertain whether he is suitable to hold a crowd controller's licence. If he had committed an offence 10 years ago he would probably be granted a licence, but if he has a recent history of offences of violence he will certainly be struggling to get a licence.

Both the member for Ashburton and the member for Balcatta asked whether individual persons could operate as individual crowd controllers. The answer is yes. A person will be required to obtain both a crowd control agent's licence and a crowd controller's licence.

Mr Catania: An incorporated body can only do that.

Mr WIESE: That is not the case. An individual can operate as a crowd controller and a crowd control agent.

Mr Catania: What is the difference between a crowd control agent and a crowd controller?

Mr WIESE: The crowd control agent's role is spelt out in the legislation. He is accountable for the actions of the crowd controllers he employs. However, a crowd controller can also hold a crowd control agent's licence and he can be operating on an individual basis. In that case he is totally responsible for what he does. However, if a crowd controller is working for someone who holds a crowd control agent's licence, that person is responsible for the actions of the crowd controller. In country areas there will

be many people holding both licences because they will operate on an individual basis. It will not cost them any more to obtain both licences.

The member for Ashburton referred to the reluctance of police to charge bouncers for criminal activity. I am not aware of that. The reality is that there has been a reluctance on the part of victims and witnesses to come forward and give evidence. These people have a real fear that they will become victims if they give evidence against someone who is guilty of beating up another person in his role as a bouncer. As far as I am aware, there is no reluctance on the part of the police to prosecute. In fact, I can assure members that they want to prosecute, but it is difficult to get someone to come forward to give evidence.

Mr Catania: It is common knowledge that they are standover merchants and thugs.

Mr WIESE: Absolutely. I will deal with most of the issues raised by the member for Balcatta during Committee. I will certainly be happy to look at any amendments brought forward by the Opposition.

Reference was made in the debate to penalties. The Bill provides for penalties of \$10 000 for individuals and \$20 000 for corporate bodies which is very high. If members opposite can put forward a case to demonstrate why they should not be so high, I will be happy to consider it. I am pleased that the member for Balcatta shares my point of view about people carrying firearms. This legislation widens the ability of security agents to carry firearms, but it is not opening the door unnecessarily. I am opposed to relaxing this provision.

The Government is introducing the provision for armed bodyguards to be used but it will be strictly controlled. The Commissioner of Police will require the approval of the Minister before he can authorise the use of armed bodyguards. It will be a dual operation, and I can assure members that on only very rare occasions will I give permission for anybody to act as an armed bodyguard in this State. We do not want to introduce or encourage that.

The member for Ashburton asked a series of questions. I will deal with those in Committee. I am sure he will raise them again at that time. The police will be provided with the necessary resources to enable them to handle the licensing function. The Commissioner of Police has the duty of allocating the resources, and computers will be needed for the operation of the registry. The commissioner will be able to provide the necessary resources. I thank members for their support of the Bill, and I will deal with the other matters raised in Committee.

Question put and passed.

Bill read a second time.

BILLS (2) - ASSENT

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

1. Industrial Legislation Amendment Bill
2. Financial Agreement Bill

House adjourned at 6.02 pm

QUESTIONS ON NOTICE

WESTRAIL - CONCESSIONAL PASSENGERS

283. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) In the past has the Minister given assurances to the effect that, with regard to concessional passengers, the State Government will continue to reimburse Westrail the difference between the cheaper fare and the standard fare?
- (2) If so, is the Government now showing reluctance to do so, with the result that concessional passengers, who are most commonly pensioners, are being discouraged by Westrail in order to allow them to minimise their own losses?
- (3) Are concessional passengers not permitted on some rail services?
- (4) Is Westrail intending to ban concessional fare paying pensioners from travelling on any of their trains on Christmas Eve?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1) No.
- (2) Not applicable.
- (3) To ensure that fare paying passengers have priority access to premium services where capacity is limited or demand is high, concessional passengers may not use their free travel entitlement on the 3.00 pm express *Prospector* service from Perth to Kalgoorlie on Fridays. Concessional passengers are able to travel on this service on a 50 per cent concession fare. Alternatively they can use their free travel entitlement on the following service at 4.10 pm which is not an express service.
- (4) No.

WATER AUTHORITY - PA CONSULTING GROUP, PROJECTS

393. Mrs ROBERTS to the Parliamentary Secretary representing the Minister for Water Resources:

- (1) What work has the PA Consulting Group undertaken for the Water Authority of Western Australia since January 1993?
- (2) What was the cost of each project undertaken by the PA Consulting Group?
- (3) Who were the staff from the PA Consulting Group that worked on each project?

Mr McNEE replied:

This question was answered on 6 April 1995.

The Minister for Water Resources has provided the following amended response -

- (1) PA Consulting Group has been used in the following areas -
 Business activity reviews of -
 land information services
 administrative services
 drilling and services.
 Reviews included preparation of tender documentation where required.
 Re-engineering (design and implementation) of -
 engineering assets, management, people, money, information, and
 supply processes

**Benchmarking project - Perth North and South Regions
Perth North/South Review**

- (2) Business activity reviews - estimated \$179 000
re-engineering - estimated \$400 000
benchmarking - estimated \$168 000
Perth North/South review - estimated \$115 000
- (3) Business activity reviews -
 - Eric Perrit (Land Information Services)
 - Alan Smith (Administrative Services)
 - Paul Kitson (drilling and testing)Process re-engineering -
 - Roger Patrick (program coordinator)
 - Roger Hartley (people and management processes)
 - Angus MacMillan (money process)
 - Peter Lancy (engineering assets process)
 - Nick Aitken (program management)Benchmarking project -
 - Roger Patrick, Paul Kitson (benchmarking)
 - Alan Smith, Nick Aitken (evaluation)Perth North/South Review -
 - Nick Aitken, Roger Patrick, Bruce Ross-Adams, Alan Smith, Barry Clark.

FORESTS AND FORESTRY - CENTRAL FOREST REGION
Environmental Assessment; Representative Reserve System

433. Dr EDWARDS to the Minister representing the Minister for the Environment:

What steps have been taken by the State Government to undertake a comprehensive environmental assessment of the Central Forest Region and develop a representative reserve system in that region?

Mr MINSON replied:

The Minister for the Environment has provided the following reply -

A representative reserve system for the central region has been developed by evaluation of vegetation complexes and seeking their proportional representation in the reserve system. This is detailed in the Forest Department's 1977 and 1982 General Working Plans and summarised in the paper "Focus on Northern Jarrah Forest conservation and Recreation Areas" 1980, Heddle EM, Havel JJ and Loneragan OW, Forest Focus No 22.

The CALM 1987 Central Forest Region Management Plan gave the areas of security of purpose and the 1994 Forest Management Plan re-evaluated representativeness of vegetation complexes based on set targets. This is detailed in the Draft Forest Strategy of 1992.

ROADS - MITCHELL FREEWAY

Noise Level Measurements, Mount Hawthorn Area; Acceptable Levels

460. Mrs ROBERTS to the Minister representing the Minister for Transport:

- (1) Will the Minister give an assurance that further noise level measurements will be taken sooner rather than later in the residential area of Mount Hawthorn, adjacent to the Mitchell Freeway?
- (2) Will the Minister ensure that when undertaking further noise level measurements in the Mount Hawthorn area Main Roads will give consideration to the following -

- (i) increased traffic on the freeway since the initial study was done 5 years ago;
- (ii) changes in traffic mix over the five years, for example, ratio of cars, trucks, emergency vehicles;
- (iii) the increased volume of emergency vehicles using the freeway;
- (iv) the additional noise of trains;
- (3) Will the Minister advise the dates noise level measurements were taken in Mount Hawthorn after completion of the freeway extensions and at what time of the day were they recorded?
- (4) Will the Minister advise the sites used to record the noise levels?
- (5) Will the Minister advise the exact figures of these noise level measurements?
- (6) Will the Minister advise what is an acceptable level of noise according to Australian Standards?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1) Noise measurements at homes close to the freeway in Mt Hawthorn were carried out in 1992 and 1993, in response to a request from the local ratepayers' association. Based on expected traffic growth, the level of traffic noise is not likely to increase significantly for some years. However, if conditions change, further monitoring will be undertaken.
- (2) Yes. Noise level measurement at homes beside the freeway takes into account all types of traffic noise (including heavy vehicles and emergency vehicles) as well as train noise.
- (3) Dates of recordings were 11-13 October and 18-20 October 1993, and 1-3 November 1993. Noise measurement was carried out at each house for a continuous 48-hour period to ensure a fair sample.
- (4)-(5)

1 Sasse Avenue	60	dB(A)
6 Lynton Street	65	dB(A)
22 Lynton Street	55-57	dB(A)
217 Anzac Road	61	dB(A)

These readings are an average of the upper levels of noise occurring between the hours of 6.00 am and midnight.
- (6) There are no existing Australian standards for traffic noise. However, it is generally considered that annoyance to residents can be high when external noise exceeds 68 dB(A) as an average of the upper levels of noise occurring between the hours of 6.00 am and midnight.

WATER AUTHORITY - COMPETITIVE TENDERING AND CONTRACTING *Discussions with Public Sector Management Office*

517. Mrs ROBERTS to the Parliamentary Secretary to the Minister for Water Resources:

- (1) Has the current or immediate past chief executive officer of the Water Authority of Western Australia had discussions with the Public Sector Management Office concerning competitive tendering and contracting?
- (2) If so, on what dates did those meetings occur?
- (3) Did the CEO receive any directions from that office and, if so, what were they?

Mr McNEE replied:

The Minister for Water Resources has provided the following reply -

- (1) Yes.
- (2) Various telephone conversations and meetings were held, but no record of dates are available.
- (3) No.

WATER AUTHORITY - COMPETITIVE TENDERING AND CONTRACTING
Discussions with Public Sector Reform Cabinet Subcommittee

518. Mrs ROBERTS to the Parliamentary Secretary to the Minister for Water Resources:

- (1) Has the current or immediate past chief executive officer of the Water Authority of Western Australia had discussions with the public sector reform Cabinet subcommittee concerning competitive tendering and contracting?
- (2) If so, on what dates did those meetings occur?
- (3) Did the CEO receive any directions from the subcommittee and, if so, what were they?

Mr McNEE replied:

The Minister for Water Resources has provided the following reply -

- (1) Yes.
- (2) 7 February 1994, 11 April 1994, 11 July 1994, 17 October 1994, 30 January 1995 and 10 April 1995.
- (3) No.

HOSPITALS - ST JOHN OF GOD, SUBIACO
Upgrade Funding

520. Dr GALLOP to the Minister for Health:

I refer the Minister to his reference to St John of God Hospital, Subiaco at question time on 4 April 1995 and ask what support the State Government provided for St John of God, Subiaco when it redeveloped and upgraded its facilities?

Mr KIERATH replied:

When St John of God Hospital, Subiaco redeveloped its maternity ward in 1978 and undertook additions and alterations to the hospital in 1980, the State Government undertook to provide an interest subsidy each year to the hospital for the moneys borrowed. The hospital borrowed the following amounts from the Superannuation Board -

Date	Sum Borrowed	Term	Interest Subsidy
	\$		
1.12.1978	2 580 000	20 years	57.2% of interest charged on the loan
1.4.1979	19 000 000	20 years	100% of interest charged on the loan
1.12.1984	4 407 000	20 years	100% of interest charged on the loan

Two bridging finance loans, which are detailed below, were also arranged to provide alternate temporary finance. The State Government provided a 100 per cent interest subsidy on these loans.

Date	Sum Borrowed	Lender	Interest Subsidy
	\$		
1.6.1979	12 771 000	R & I Bank	completed in 1.1982
1.7.1980	4 407 000	Tricontinental Australia	completed in 11.1984

STATE PRINT - SALE

Sick Leave, Value

532. Mrs HENDERSON to the Minister for Services:

With reference to the sale of State Print to the Coventry Group Pty Ltd -

- (a) What was the value of the sick leave component that was transferred in the deal;
- (b) How was the sick leave transferred;
- (c) Was a trust fund established to offset the value of the sick leave;
- (d) What was the value of the cheque that was paid for State Print;
- (f) Have any provisions of the Financial Administration and Audit Act 1985 been contravened in the sale of State Print, or in the transfer of sick leave entitlements;
- (g) Will the Minister table the deed of agreement that covered the sale of State Print?

Mr MINSON replied:

- (a) \$243 977.12.
- (b) The Coventry group accepted liability for the first 5 per cent with the balance being shared equally between the Coventry group and the Government.
- (c) No.
- (d) \$3 468 835. This figure represents payments received to date for plant, equipment, stock, furniture and general consumables.
- (f) No.
- (g) Yes. A copy is hereby tabled. [See paper No 258.]

METROWEST - DEPOTS, FUTURE PLANS

539. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) What plans does the Government have for the future of Metrowest depots?
- (2) Is the Government currently involved in any negotiations for the sale of any depots?
- (3) Is the Causeway depot to be sold for approximately \$8m?
- (4) Which depots are going to be retained to serve Metrowest?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

I refer the member to my response to her previous question 2296, 1994.

BUS SERVICES - ROUTES, TENDERING PROCESS

540. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) Are there delays to the tendering of bus routes?
- (2) What was the initial time line proposed for the tendering process?
- (3) What are the present projections for the tendering process for bus routes?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1) No.
- (2)-(3) First quarter 1996.

CALM - LOGGING CONTRACTORS, AGREEMENTS

580. Dr EDWARDS to the Minister representing the Minister for the Environment:

- (1) What is the nature of the agreements between the Department of Conservation and Land Management and logging contractors?
- (2) Does this cover union membership?
- (3) How does CALM audit contractors adherence to these rules, regulations and award positions?
- (4) Has CALM prosecuted any logging contractors for breaches of the above?

Mr MINSON replied:

The Minister for the Environment has provided the following reply -

- (1) Pursuant to s88(1a) of the CALM Act, the Executive Director of the Department of Conservation and Land Management contracts for the harvesting and delivery of forest produce to nominated destinations. CALM's contractual relationship is with independent contractors whereby neither party has the right to legally bind the other or create any relationship of employer and employee or partnership. The contractors are liable for and pay their own income tax and other taxes.
- (2) The contracts do not provide undertakings by the contractors for or in relation to union membership.
- (3)
 - (a) The contracts provide undertakings by the contractors to comply with industrial awards applicable to their employees to protect CALM against claims under workers' compensation legislation and at common law.
 - (b) The contracts empower CALM to withhold moneys due to a contractor and pay the same to an employee who has obtained a court order in respect of such moneys or to a subcontractor where reasonable evidence of non-payment is produced.
- (4) CALM has no legal power to prosecute a contractor defaulting in payments to an employee, merely a contractual right coupled with a general indemnity.

PRISONS - CANNING VALE; CASUARINA
Inquiries Under Section 9 of Prisons Act

638. Mr BROWN to the Minister assisting the Minister for Justice:

Were the inquiries under section 9 of the Prisons Act 1981 into Canning Vale and Casuarina conducted fairly and impartially?

Mr MINSON replied:

I am advised by the Director General of the Ministry of Justice that the section 9 inquiries into Canning Vale and Casuarina Prisons were conducted fairly and impartially.

PRISONS - CANNING VALE; CASUARINA
Inquiries Under Section 9 of Prisons Act

639. Mr BROWN to the Minister assisting the Minister for Justice:

Will the Attorney General advise if the provisions of Regulation 83 of the Prisons Regulations 1982 were complied with in the conduct of the two section 9 inquiries?

Mr MINSON replied:

I am advised by the Director General of the Ministry of Justice that the provisions of regulation 83 of the Prison Regulations 1982 were complied with.

JUSTICES OF THE PEACE - CASUARINA PRISON, OFFICE PLANS

696. Mr BROWN to the Minister assisting the Minister for Justice:

- (1) Have any plans been made to provide an office for visiting justices of the peace at Casuarina Prison?
- (2) If not, why not?

Mr MINSON replied:

- (1) No.
- (2) When justices attend the prison to process bail for prisoners an office is made available which contains records and relevant documents to enable the bail to be processed efficiently.

TAXI INDUSTRY - MULTIPURPOSE TAXIS, COMPLAINTS

749. Dr WATSON to the Minister representing the Minister for Transport:

- (1) Are multipurpose taxis required to carry information pamphlets which provide details of how to make a complaint?
- (2) Do all multipurpose taxis carry these pamphlets?
- (3) What are the sanctions for not carrying them?
- (4) How many complaints has the board received since the reorganisation?
- (5) What monitoring arrangements are in place to assess satisfaction and complaints?
- (6) When will an evaluation of the reorganised multipurpose taxi service be carried out?

Mr LEWIS replied:

The Minister for Transport has provided the following response -

- (1) The Department of Transport and the Disability Services Commission are currently nominating representatives for a customer service committee with user and provider representation, to create a user-friendly help service for multipurpose taxi users, including information pamphlets.
- (2)-(3) Not applicable.
- (4) The Taxi Control Board was abolished on 10 January 1995. The Taxi Industry Board does not handle customer complaints. The taxi unit of the Department of Transport has received no written complaints about the multipurpose taxi services since 10 January. Some views were expressed during a recent three-week trial of an alternative despatching process, which did not proceed.
- (5) Until the committee outlined in (1) is running, the Department of Transport taxi unit monitors the multipurpose taxi coordinator, which is Black and White Taxis, and has regular contact with representatives from the Disability Services Commission and ACROD. Once the customer service committee is in place, its prime function will be to review complaints and advise the coordinator on the appropriate action it can take and advise the Department of Transport on any action required by it to ensure that multipurpose taxi clients receive a reasonable service.
- (6) The customer service committee will provide ongoing evaluation and the Department of Transport will review the coordination and service on an annual basis according to the multipurpose taxi coordination contract agreement with Black and White Taxis.

TRAFFIC ACCIDENTS - ROAD WORKS, SOUTH WEST HIGHWAY, BYFORD

763. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) How many traffic accidents have occurred at and around the site of road works which have recently been carried out on the South West Highway at Byford?
- (2) How many of these have involved fatalities?
- (3) Has Main Roads Western Australia instituted an investigation into the causes of these accidents?
- (4) What are the results of the investigation?
- (5) What changes will be instituted to safety procedures as a result?
- (6) Were the road works being carried out by a private contractor?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1) Three reported accidents.
- (2) One.
- (3) Yes.
- (4)-(5) The investigation is still in progress.
- (6) Yes.

**METROBUS - OIL FILTERS, AIR FILTERS, BRAKE FLUID CHECKS
POLICY**

764. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) What is the present Buswest policy for the checking and changing of oil filters, air filters and brake fluid on its buses?
- (2) When did the present policy come into operation?
- (3) What was the former policy?
- (4) How can the change of policy be justified in terms of the safety and reliability of the Buswest fleet?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

In responding to the question I am assuming that the honourable member is referring to "MetroBus" and not "Buswest". In the case of MetroBus, I provide the following response -

- (1) Preventive maintenance and minor servicing (for example, checking and changing of oil filters, air filters) is undertaken by Metrobus in accordance with bus manufacturers' specifications.
- (2) The present policy has been in place for at least 25 years.
- (3)-(4) Not applicable.

ROADS - ROE AND TONKIN HIGHWAYS, MODIFICATIONS

766. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) Are road modifications currently being undertaken on the Roe and Tonkin Highways to permit more ready access by road trains?
- (2) If so, what is the cost of these modifications?
- (3) If no, what is the purpose of current works being undertaken?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1)-(3) The junction of Roe Highway with the Great Eastern Highway bypass is being modified to improve the junction for 25 metre B double units that already use this route and for other heavy haulage operations on these major routes. In addition, Main Roads will be progressively providing advance amber warning signals on this route and all major heavy haulage routes.

**ROAD TRAINS - ALBANY HIGHWAY, ARMADALE CITY, ROUTES
AUTHORISATION**

775. Mrs HALLAHAN to the Minister representing the Minister for Transport:

Has the Minister already authorised the use of routes, including the Albany Highway, through the City of Armadale, for travel by road trains to Kewdale following the expiration of the road train trials through that city at the end of April 1995?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

No.

**COCKBURN CEMENT LTD - ENVIRONMENTAL MANAGEMENT PLAN,
DEPARTMENTAL ADVICE**

778. Dr EDWARDS to the Minister representing the Minister for the Environment:

- (1) What advice has the Department of Environmental Protection, the Environmental Protection Authority and the Department of Conservation and Land Management given regarding Cockburn Cement's submission of its environmental management plan in February 1995?
- (2) Is the depth of dredging a consideration in this notice?
- (3) If so, why?
- (4) If not, why not?
- (5) Is local turbidity a consideration in this advice?
- (6) If so, why?
- (7) If not, why not?
- (8) Is the covering by shell of the beaches east and north of Cockburn Cement's underwater dumping area at Woodman Point a consideration in this advice?
- (9) If so, why?
- (10) If not, why not?
- (11) What estimates does the Government have of the cost of seagrass loss to the fishing industry?
- (12) What estimates does the Government have of the cost of seagrass loss to the recreational boating industry?
- (13) Has the Government had any complaints from recreational users about the damage to Woodman Point?
- (14) What action is planned to ameliorate the problem?

Mr MINSON replied:

The Minister for the Environment has provided the following reply -

(1)-(12)

The Environmental Management Program prepared by Cockburn Cement is presently being assessed by the Environmental Protection Authority and other agencies in accordance with the ministerial conditions covering the company's short-to-medium-term operations, and in line generally with review timing arrangements agreed with the company (see p10 of Appendix 2 of the EMP).

The Minister is unable to respond to the various components of the question until he receives and has considered the advice of the EPA, CALM and others.

(13)-(14)

Yes, if the damage referred to in the question relates to shifting shell sand around the point. Again, the Minister will await advice.

MAIN ROADS DEPARTMENT - ROAD FUNDS ALLOCATION, UNSPENT

790. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) Does an amount in the order of \$30 to \$35m of state road funds allocated to the Main Roads Department presently remain unspent?
- (2) If yes, will the Minister give an assurance that the amount will in fact be spent on road works this financial year?
- (3) If no, how much does remain unspent, and will the Minister give the same assurance in respect of it?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

(1) Yes.

(2)-(3) It is neither practical nor efficient to spend the moneys to suit an end of year target. Payments to contractors and suppliers are made only when the services have been satisfactorily performed or goods provided. All these funds are, however, committed for works.

It is not unusual to have some payments carry over into the next financial year. Thirty million dollars out of a total budget of \$412m is 7.2 per cent. In the previous five years this has been -

	\$m	\$m	%
1989-90	20.4	351.88	(5.8)
1990-91	25.5	360.13	(7.1)
1991-92	42.3	355.80	(11.9)
1992-93	4.2	389.49	(1.1)
1993-94	22.6	355.27	(6.4)

PUBLIC TRANSPORT - RECREATIONAL USE, FARE CUTS

791. Mrs HALLAHAN to the Minister representing the Minister for Transport:

I refer the Minister to an announcement by the Queensland Minister for Transport that the Queensland Government was cutting weekend and public holidays fares on Brisbane's Citytrain network by 50 per cent in a bid to get an increased share of the leisure market and ask whether the Western Australian Government would consider cuts in order to increase the usage of public transport for recreational purposes.

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

Transperth has long had a Day Tripper ticket which provides unlimited travel on trains, buses and ferries on the day of purchase, for a group of up to seven persons

which may include a maximum of two adults. This ticket, which costs \$5, is valid every Saturday, Sunday and public holiday, and from 9.00 am on weekdays during school holidays. This highlights that Western Australian families already have access to significantly discounted travel on the public transport network.

LOVE STARCHES - LICENCE REVIEW

795. Dr EDWARDS to the Minister representing the Minister for the Environment:

- (1) Is the Department of Environmental Protection reviewing the licence of the company Love Starches as reported on page 3 of *The West Australian* of 20 March 1995?
- (2) If yes, will new licence conditions require Love Starches to cease discharging effluent to ground water?
- (3) If yes, by when?
- (4) Has the Environmental Protection Authority received advice from the Environmental Assessment Reports Committee No 3 of 24 February 1994 about Love Starches' proposal to increase the quantity of effluent discharged into the aquifer?
- (5) If yes, was this advice that -
 - (i) the proposal be found unacceptable on the grounds of the degree of risk associated with the discharge of waste to an unconfirmed aquifer and the need to recapture the plume off site;
 - (ii) the consequences of failure would be an unacceptable nutrient load to the ground water and subsequently to Cockburn Sound;
 - (iii) the proponent should examine in detail alternatives especially the two sewerage options;
 - (iv) the proponent should put forward a program to cease the practice of discharge of effluent to ground water, as soon as possible?
- (6) Has the EPA endorsed this advice?
- (7) If yes, did it endorse this advice unanimously?
- (8) Subsequent to receiving the advice of the Environmental Assessment Reports Committee, did the EPA request additional information?
- (9) If yes -
 - (i) from whom;
 - (ii) when was it supplied;
 - (iii) to whom was it supplied;
 - (iv) who assessed it and when?

Mr MINSON replied:

The Minister for the Environment has provided the following reply -

- (1)-(9) The detail contained in the member's question is publicly available because of a freedom of information request. These documents set out the answers to all the member's questions.

DIEBACK - RESEARCH COMMITTEE

804. Dr EDWARDS to the Minister representing the Minister for the Environment:

- (1) What are the terms of reference of the Western Australian Dieback Research Committee?
- (2) Who are the members of this committee?
- (3) When will it report?

(4) Will this report be a public document?

Mr MINSON replied:

The Minister for the Environment has provided the following reply -

- (1) The Minister for the Environment will forward a copy of the terms of reference to the member.
- (2) Dr Francis Podger;
Dr Maurice Mulcahy; and
Dr Sid James.
- (3) The panel's report is expected before 30 June 1995.
- (4) The report will be made public.

ART GALLERY - STAFF RESIGNATIONS

809. Ms WARNOCK to the Minister representing the Minister for the Arts:

- (1) How many staff members in all categories have left the Art Gallery of Western Australia since 1992, including that year?
- (2) How many of these positions have been filled?

Mr NICHOLLS replied:

The Minister for the Arts has provided the following reply -

- (1) 36 staff have resigned from the art gallery since 1992 (including that year); 11 people retired.
- (2) 20 staff were replaced. Six positions are serviced on a temporary basis.

ART GALLERY - COLLECTION, REVALUATION

810. Ms WARNOCK to the Minister representing the Minister for the Arts:

- (1) Is the entire collection, or any part of it, of the Art Gallery of Western Australia being revalued this year?
- (2) If so, who will be asked to do the revaluation?

Mr NICHOLLS replied:

The Minister for the Arts has provided the following reply -

- (1) 20 per cent of the Art Gallery of Western Australia's collection is due to be revalued by 30 June 1995.
- (2) The valuation will be carried out by Art Gallery of Western Australia staff.

ART GALLERY - EAST WING PROJECT

811. Ms WARNOCK to the Minister representing the Minister for the Arts:

- (1) What is the state of progress on the east wing (Old Police Court) of the Art Gallery of Western Australia?
- (2) Is the project complete?
- (3) If not, when will it be completed?
- (4) Is it on time and on budget?

Mr NICHOLLS replied:

The Minister for the Arts has provided the following reply -

- (1) The east wing, now known as the Centenary Galleries, is currently in stage 2 of completion. Stage 2 comprises the ground and first floor rooms in the eastern section of the building. Stage 1 comprises five major galleries now fully complete and in final stages of air-conditioning stabilisation prior to installation of artworks commencing in mid-May.

- (2) The building project will be complete by 31 May. This is the current advice from the Building Management Authority. At this date, the building works will be complete, allowing the gallery to fit out the display galleries and install artworks. Completion date for the installation of the 13 major display galleries in the Centenary Galleries is 21 July 1995. Completion of the sculpture courtyard between the Centenary Galleries and the Main Arts Gallery is subject to funding through sponsorship.
- (3) 21 July 1995.
- (4) The project is currently on budget.

MAIN ROADS DEPARTMENT - HOMESWEST SOUTHPORT STREET DEVELOPMENT, WEST LEEDERVILLE, FUNDING

816. Mrs ROBERTS to the Minister representing the Minister for Transport:

- (1) Did the Main Roads Department make a financial contribution to Homeswest towards the cost of constructing a sound wall in conjunction with the Homeswest development in Southport Street, West Leederville?
- (2) If yes -
 - (a) how much was contributed;
 - (b) was the funding subject to Homeswest honouring the Main Roads commitment to local residents regarding the plan of the sound wall; that is, it should extend to the Vincent Street intersection?
- (3) Has Main Roads recently undertaken traffic noise level measurements in West Leederville?
- (4) If yes -
 - (a) where were the measurements recorded;
 - (b) what were the results?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1) No. The property was sold to Homeswest by Main Roads. As a condition of sale, Homeswest agreed to fund and construct a noise barrier wall along the boundary of the property fronting Southport Street.
- (2) Not applicable.
- (3) Yes.
- (4) (a) Measurements were taken at numbers 37 and 41 Coldstream Street.
- (b) 62 dB(A) at 37 Coldstream Street and 65 dB(A) at 41 Coldstream Street. The results indicated that the modifications to the freeway and local streets as part of the northern suburbs rail project have resulted in very little change to the level of noise in Coldstream Street.

WESTERN AUSTRALIAN TURF CLUB - REGIONAL FUNDING POLICY

837. Mr GRAHAM to the Minister representing the Minister for Racing and Gaming:

- (1) Has the Minister approved the Western Australia Turf Club regional funding policy 1994-97?
- (2) If not, why not?
- (3) If so, will the Minister provide a copy?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following reply -

- (1)-(3) The Western Australian Turf Club is the principal club for thoroughbred racing in this State and the Minister for Racing and Gaming does not have the legislative authority to approve any funding policy of the Western Australian Turf Club.

WATER AUTHORITY - YULE RIVER BOREFIELD, BORES REVIEW

853. Mr GRAHAM to the Parliamentary Secretary to the Minister for Water Resources:

- (1) Has the Water Authority of Western Australia reduced the number of bores in service at the Yule River borefield?
- (2) If so -
- (a) how many bores have been taken out of service;
 - (b) for what reason was each bore taken out of service;
 - (c) on what date was each bore taken out of service;
 - (d) how many bores remain operational;
 - (e) what is the current output of the borefield?

Mr McNEE replied:

The Minister for Water Resources has provided the following reply -

- (1) Yes.
- (2) (a) Number of bores decommissioned is 30.
- (b) Some bores producing low volume of water, some bores had failed; and generally to reduce cost of producing water.
- (c) Borefield operations reviewed in September 1992 and report recommended the rationalisation of bores. Bores taken out of service between 1993 and 1994.
- (d) Nine bores operational.
- (e) Current output is 11 600 cubic metres per day.

**WATER AUTHORITY - TURNER RIVER BOREFIELD,
DECOMMISSIONED**

854. Mr GRAHAM to the Parliamentary Secretary to the Minister for Water Resources:

- (1) Has the Water Authority of Western Australia reduced the number of bores in service at the Turner River borefield?
- (2) If so -
- (a) how many bores have been taken out of service;
 - (b) for what reason was each bore taken out of service;
 - (c) on what date was each bore taken out of service;
 - (d) how many bores remain operational;
 - (e) what is the current output of the borefield?

Mr McNEE replied:

The Minister for Water Resources has provided the following reply -

- (1) The Turner River borefield is not used to produce water. The borefield was decommissioned in 1982-83 because of low production capacity.

- (2) Not applicable.

WATER AUTHORITY - PORT HEDLAND, GREENING OF HEDLAND AGREEMENT

855. Mr GRAHAM to the Parliamentary Secretary to the Minister for Water Resources:

- (1) How much water has the Port Hedland Town Council drawn on under the Greening of Hedland agreement?
- (2) What was the cost to the Water Authority of Western Authority of providing the water?
- (3) How much did the council pay for the water?
- (4) Was this the full cost of providing the water?
- (5) Is the agreement still in force?
- (6) If so -
 - (a) how much water is available for the town council each year;
 - (b) what is the cost to the Port Hedland Town Council for that water?
- (7) If not, why not?

Mr McNEE replied:

The Minister for Water Resources has provided the following reply -

- (1) No formal agreement signed. Under an informal arrangement based on some of the elements of the proposed agreement, the water supplied in 1993-94 was 52 914 kL.
- (2) In 1993-94 the average cost of providing the water was 61¢. Including capital the cost increases to \$1.88/kL.
- (3) Council pays 41.8¢/kL.
- (4) No.
- (5) No. The informal water service arrangements are still in place.
- (6) Not applicable.
- (7) Agreement still being negotiated between the Water Authority and the Town of Port Hedland.

"TAB TALK" - PRODUCTION COST

862. Mr GRAHAM to the Minister representing the Minister for Racing and Gaming:

- (1) What was the cost of production of the document "TAB TALK" - Oct/Nov/Dec 1994
- (2) What was the purpose of producing the document?
- (3) What was the cost of distribution of the document?
- (4) To whom were the copies distributed?
- (5) Where was the document printed?
- (6) By which company was the document printed?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following reply -

- (1)-(6) As "TABTALK" is produced by the WA TAB Agents' Association (Inc), the member should direct his question to the association.

ROAD TRAINS - TRIAL, ALBANY HIGHWAY ARMADALE-BEDFORD,
PERMITS

869. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) How many road train permits were issued during the road train trial on Albany Highway through Armadale and Bedfordale?
- (2) Were any applications not granted?
- (3) If so, what was the reason?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1) 122 permits.
- (2) No.
- (3) Not applicable.

TRANSPORT - VEHICLE LOAD MONITOR

871. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) Why has Western Australia not purchased the vehicle load monitor to assist in the detection of overloading on heavy transport vehicles?
- (2) Has the system been in operation in some other state jurisdictions for in excess of twelve months?
- (3) If yes, which States are they?
- (4) Does the use of the VLM reduce the time heavy transport vehicles, apprehended for suspected overloading, are delayed where no breach has occurred?
- (5) Does the use of the VLM mean that enforcement officers could more readily identify and focus on operators who do overload?
- (6) Does data suggest that overloading by heavy transport is a significant causative factor in road damage?
- (7) What is the purchase price of the VLM?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1) Western Australia uses a similar system known as the PAT DAW 200. This operates on the same principle as the vehicle load monitor by weighing vehicles as they pass over weigh pads at low speed.
- (2) Yes.
- (3) New South Wales - approximately two years.
Tasmania - approximately 18 months.
- (4) As the vehicle is weighed in motion, the delay time is reduced for vehicles not overloaded. The results of the weigh in motion system cannot be used for prosecution.
- (5) The VLM of the weigh in motion system is another method of screening vehicles to assist in the on-road mass enforcement.
- (6) Data from on-road enforcement interceptions does not demonstrate that overloading is causing major damage to roads in this State.
- (7) Approximately \$20 000 for a complete system.

**LAND ADMINISTRATION, DEPARTMENT OF - CONTRACTING OUT
FUNCTIONS**

872. Mr KOBELKE to the Minister representing the Minister for Lands:

- (1) Which sections, operations or specific tasks which were previously performed by officers employed by the Department of Land Administration have been contracted out to the private sector in the current financial year?
- (2) In each instance of such contracting out, what are the specific functions performed for DOLA by people no longer employees of the department?
- (3) When were the particular functions or operations transferred under a contract to the private sector?
- (4) How many staff were previously employed by the Department of Land Administration to undertake the particular task or tasks?
- (5) Have any of these people remained with DOLA?
- (6) If any -
 - (a) how many;
 - (b) what jobs have they been transferred to?
- (7) How many people or full time equivalents are employed by the private sector contractor in order to perform the task for which they have been contracted?
- (8) What is the value of the contract for the private contractor or company to undertake each specific task?
- (9) What is the contracted or anticipated cost for undertaking each specific task on an annual basis?
- (10) What is the anticipated cost saving to DOLA for each service contracted out on an annual basis?

Mr LEWIS replied:

The answer was tabled.

[See paper No 259.]

**BURSWOOD BRIDGE - CONSTRUCTION DATE
*Narrows Bridge, Traffic Volumes***

892. Mr PENDAL to the Minister representing the Minister for Transport:

Given the effect of the proposed Burswood Island bridge on the reduction of traffic using the Narrows Bridge, can he advise -

- (a) when work on the Burswood bridge will commence;
- (b) when work will be completed;
- (c) what is the latest estimated cost of the Burswood Bridge;
- (d) what have been the annual traffic volumes over the Narrows in -
 - (i) 1985
 - (ii) 1986
 - (iii) 1987
 - (iv) 1988
 - (v) 1993
 - (vi) the current year?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (a) Mid to late 1997.
- (b) Year 2000.
- (c) \$31m as at 1994.
- (d)

1984-85	118 990 *
1985-86	124 190 *
1986-87	129 380 *
1987-88	133 040 *
1992-93	142 450 *
1993-94	150 309 *
1994-95	158 125 (preliminary reading)

* Annual average weekday travel

WATER AUTHORITY - TENDER EVALUATION PANELS, MEMBERS

915. Mrs ROBERTS to the Parliamentary Secretary to the Minister for Water Resources:

- (1) Which persons at the Western Australian Water Authority have participated as members of tender evaluation panels within the Western Australia Water Authority in 1993?
- (2) How many times has each person participated as a member of a tender evaluation panel during 1993?

Mr McNEE replied:

The Minister for Water Resources has provided the following reply -

The information sought would require considerable research and I am not prepared to allocate resources for this purpose. If the member has a specific question about the subject, I would be pleased to respond.

WATER AUTHORITY - TENDER EVALUATION PANELS, MEMBERS

916. Mrs ROBERTS to the Parliamentary Secretary to the Minister for Water Resources:

- (1) Which persons have participated as members of tender evaluation panels within the Western Australian Water Authority in 1994?
- (2) How many times has each person participated as a member of a tender evaluation panel during 1994?

Mr McNEE replied:

The Minister for Water Resources has provided the following reply -

The information sought would require considerable research and I am not prepared to allocate resources for this purpose. If the member has a specific question about the subject, I would be pleased to respond.

WHITEMAN PARK - TICKETS, ENTRY CONDITIONS; DISCLAIMERS

918. Mrs ROBERTS to the Minister representing the Minister for Fair Trading:

- (1) What are the conditions of entry listed on the admission ticket to Whiteman Park?
- (2) Do other parks or public facilities have warnings worded similarly to the following extract from the Whiteman Park ticket -

"By entering . . . you absolve the owners It's (sic) servants (sic) and agents (sic) from all liabilities for damage, personal injury or death howsoever caused whether or not due to negligence"
- (3) Are such disclaimers justified for public venues?
- (4) Does the Minister support such disclaimers for public venues?

Mrs EDWARDES replied:

The Minister for Fair Trading has provided the following reply -

- (1)-(2) These questions should be directed to the Minister for Planning.
- (3)-(4) The Minister is not able to make a judgment about whether such statements as are referred to in the question are justified for all venues. Any such judgment should be made on the basis of detailed knowledge about the nature of a venue and the activities conducted there.

TRANSPERTH - MORLEY BUS STATION, STOP AND GO LIGHTS

929. Mr BROWN to the Minister representing the Minister for Transport

- (1) Is the Minister for Transport aware that Transperth advised the member for Morley on 21 October 1994 that the stop and go lights at the Morley bus station were not in use?
- (2) Does this answer conflict with an answer to the question on notice 2009 of 1994 in which the Minister confirmed the lights were operative?
- (3) If so, how does the Minister explain the contradiction?
- (4) What was the cost of the stop and go lights?
- (5) When were they purchased?
- (6) When were they installed?
- (7) When did they commence operating?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1)-(3) There is no contradiction. The Morley bus station was opened on 1 July 1994. The stop and go lights have been in working condition since that time. The actual use of the lights, which is at the discretion of bus station management, commenced during November 1994.
- (4)-(6) The stop and go lights, consisting of electrical and steelworks, were only one of the many components of the Morley bus station design, which was the subject of tender and contract award. Separate costing for the lights was not required.
- (7) See (1)-(3).

MAIN ROADS DEPARTMENT - ROAD FUNDS, UNSPENT

995. Mrs HALLAHAN to the Minister representing the Minister for Transport:

- (1) Does an amount in the order of \$30 to \$35 million of state road funds allocated to the Main Roads Department for road maintenance presently remain unspent?
- (2) If yes, will the Minister give an assurance that the amount will in fact be spent on road works this financial year?
- (3) If no, how much does remain unspent, and will the Minister give the same assurance in respect of it?

Mr LEWIS replied:

The Minister for Transport has provided the following reply -

- (1) No.
- (2) Not applicable.
- (3) Approximately \$5.4m. It is neither practical nor efficient to spend the moneys for the sake of spending them to suit an end of year target. Payments to contractors and suppliers are made only when the services

have been performed satisfactorily or goods provided. All these funds are, however, committed for works. It is not unusual to have some payments carry over into the next financial year. An amount of \$30m out of a total budget of \$412m is 7.2 per cent. In the previous five years it has been as follows -

	\$m	\$m	%
1989-90	20.4	351.88	5.8
1990-91	25.5	360.13	7.1
1991-92	42.3	355.80	11.9
1992-93	4.2	389.49	1.1
1993-94	22.6	355.27	6.4

QUESTIONS WITHOUT NOTICE

OFFICIAL CORRUPTION COMMISSION - COMPLAINT AGAINST PREMIER

156. Mr McGINTY to the Premier:

I refer the Premier to his statement on 6PR on 6 November 1992 when he said that the first time he was aware that he was being investigated by the Official Corruption Commission was: "I was at a party one night and someone said, 'I hear there's a complaint being made against you in the corruption commission.'"

- (1) Who at that party told the Premier that a complaint about him had been lodged with the Official Corruption Commission?
- (2) Is the Premier aware that it is an offence under section 11 of the Official Corruption Commission Act for a member or officer, or former member or officer, of the OCC to divulge that a person is under investigation by the OCC?
- (3) Did the Premier report this incident to the OCC or the police? If not, why not?

Mr COURT replied:

- (1)-(3) It certainly was an offence. If the Leader of the Opposition bothers to read *Hansard*, he will find that I described exactly what took place during one of the debates on the Official Corruption Commission.

Mr McGinty: So you won't tell us who it was?

Mr COURT: It is all in *Hansard*.

WORKPLACE AGREEMENTS - HOSPITAL STAFF

157. Mr JOHNSON to the Minister for Labour Relations:

Is the Minister aware of claims that hospital staff will be forced into workplace agreements, and of threats by the Hospital and Salaried Officers Association that it could push for federal award coverage?

Mr KIERATH replied:

I am aware of the claims by the Secretary of the Hospital and Salaried Officers Association. They are typical of the union misinformation that is put around to try to frighten people away from workplace agreements.

Mrs Henderson: Because otherwise they are flocking to them, aren't they?

Mr KIERATH: They are. I am glad the member for Thornlie opened up, because I have the latest figures for her. This month 2 242 people went into workplace agreements - one of the largest figures on record. It is the biggest figure since the legislation was implemented.

Mr Marlborough: What is the total figure?

Mr KIERATH: The member for Peel has read it already. I will come to the total, if members opposite give me half a chance. More than 20 000 people - 21 014 - are now on workplace agreements. In the past six months the average has been more than 1 800 people a month. These people are not sucked in by the union lies and misinformation which is put around. These are people who, despite the biggest negative campaign we have ever seen, willingly and voluntarily entered into workplace agreements. The Secretary of the Hospital and Salaried Officers Association, Dan Hill, knows that it is against the law to force an existing worker into a workplace agreement; yet he said on radio that he was trying to get an assurance from the Government that his 4 000 membership who were employed in the public sector would not be forced into workplace agreements. It is illegal to force somebody into a workplace agreement.

Members opposite are worried about people having a choice and, when given a choice, people overwhelmingly vote in favour of workplace agreements in place of awards. They cannot stand that because they know that, under the award system, people did not have a choice. If a person was covered by an award, that person was compelled to work under those conditions whether or not he or she wanted to. This voluntary system that has been in place for only 17 months already ranks in size with the Miscellaneous Workers Union and the Civil Service Association despite the misinformation campaign run by the Opposition.

ROYAL COMMISSION INTO EASTON AFFAIR - TERMS OF REFERENCE

158. Mr McGINTY to the Premier:

I refer to the royal commission announced by the Premier yesterday and ask the Premier whether he will admit that the terms of reference of his royal commission do not include -

- (1) the then Leader of the Opposition's involvement in handing the minutes of Exim Corporation or Goldrock Investments Pty Ltd board meetings to Penny Easton and whether passing such documents to Mrs Easton for use in a messy divorce wrangle constituted an offence or improper or inappropriate conduct;
- (2) the then Leader of the Opposition's possession of copies of cheques from Goldrock and whether this involved illegal, improper or inappropriate conduct; and,
- (3) the nature and circumstances surrounding the subsequent investigation of the then Opposition Leader which was overseen by the then Crown counsel?

Mr COURT replied:

- (1)-(3) I suggest the Leader of the Opposition read the report to this Parliament by the Official Corruption Commission.

EMPLOYMENT - STATISTICS

159. Mrs PARKER to the Premier:

- (1) What is the latest jobs data out today?
- (2) Has the number of jobs created since the Government was elected in March 1993 increased once again?

Mr Leahy: He will be able to answer this question. He cannot answer the others.

Mr COURT replied:

I answer all questions. If the member listened to the last answer, he would get a copy of the report as should his leader who should be ashamed of himself.

- (1)-(2) Today's unemployment figures indicate that there was an increase in Western Australia in the unemployment rate from 7.2 per cent to 7.3 per

cent. However, during the month, 11 600 additional jobs were created in this State. Since February 1993, 97 800 additional new jobs have been created. There are now 904 400 people in the State's labour force which has a participation rate which is at a record level of 67.7 per cent which continues to be the highest of any State. More importantly, WA's youth unemployment has dropped from 21.6 per cent in March to 18.1 per cent in April, again the lowest in Australia.

Mr McGinty: Why did the unemployment rate go up? Is it because you are sacking so many workers?

Mr COURT: I said that 11 600 additional jobs have been created. While the Government is out creating new jobs, all members opposite can do is intimidate people.

WORK CAMPS - LAVERTON

160. Mr BROWN to the Minister for Justice:

I refer to the Premier's statements last year when he promised a boot camp would "bring some discipline back to juvenile offenders in Western Australia". I also refer to the delay in opening the Laverton camp from last year until March this year and to the hundreds of thousands of dollars cost overrun, with establishment costs of \$1.76m and running costs of \$2m a year.

- (1) Is it true that the Laverton boot camp this week has a total of two inmates and that during the past month the total muster has fallen to as low as just one inmate?
- (2) Is it also true that the cost overrun was caused, in part, by the Government's later decision to accommodate 30, rather than 20, inmates?

Mrs EDWARDES replied:

(1)-(2)

Obviously with a pilot program one is never sure about the best way in which the resources should be used. It was considered that 30 instead of 20 inmates was a far better figure. Initially, it was considered that the young adults should be sentenced to Camp Kurli Murri for three months, but that period was increased to four months. Changes will be made to any new program. An evaluation will be undertaken after the camp has been operating for six months and I would be surprised if further changes were not made. Currently there are only two people at Camp Kurli Murri and six others have been assessed. We knew that there would be a slow start because the young adults have been given a choice. They have to put up their hand and say that they would prefer to go there and receive the benefit of that program instead of going to prison or other detention. In that respect, the program is working well. I was at the camp a few weeks ago and I spoke to the young person who was there at the time.

Mr Brown: So there was only one person there a couple of weeks ago?

Mrs EDWARDES: When I was talking to the young person there I asked him what he felt was the best element of the program. It was interesting to note that his comment was the same as the comment of the young offenders to whom I spoke when I visited the United States; that is, that he appreciated the physical exercise. For the very first time these people have learnt respect for their bodies and the experience in the United States is that that leads to respect for other people and their property. The aim of the program is to achieve a change in attitude and behaviour. We will provide a copy of the evaluation report.

It is interesting to note that other States are considering similar programs. South Australia and Queensland recently announced the implementation of similar programs.

GAS SERVICES - MANDURAH

161. Mr MARSHALL to the Minister for Energy:

Residents of Mandurah have for some years been asking if and when natural gas will be available to them as it has been to Perth residents for many years. Will the Minister inform the House whether this situation will improve in the near future?

Mr C.J. BARNETT replied:

Mandurah was supplied with a synthesised natural gas service five years ago which was designed to have a maximum capacity for 5 000 households. Between 1992 and now the number of gas customers in Mandurah, coupled with the growth of that city, has grown from 1 200 to 4 500. Clearly, the system is at its limit. I am pleased to inform the member that AlintaGas has recommended that a natural gas supply be made available to Mandurah. Construction will start later this year on a \$2.34m project which will involve the construction of 17.5 kilometres of natural gas pipeline from Secret Harbour to Mandurah. It is expected to be in place by the winter of 1996, and will allow for the expansion of gas supplies in Mandurah and accommodate future growth in that area.

CONFEDERATE ACTION PARTY - CONFIDENTIAL DOCUMENTS ON
ABORIGINAL GROUPS

162. Mr CATANIA to the Minister for Police:

I refer to the report in *The West Australian* on 1 May that a senior member of the Confederate Action Party was charged with unlawfully possessing allegedly confidential documents relating to land acquisition deals between the Government and Aboriginal groups. I also refer to the Minister's confirmation in the other place that the same person was recently found in possession of 20 000 rounds of high powered ammunition and a licence for 17 guns.

- (1) Does the Government view with concern the charging of a member of the Confederate Action Party with possession of confidential documents relating to Aboriginal communities?
- (2) Does the Government have any knowledge of planned attacks against Aboriginal communities by the Confederate Action Party and, if so, what is it doing about it?

Mr WIESE replied:

- (1)-(2) In reply to the last part of the question, certainly the Government has no knowledge of anything of that nature. I exhort any members of this Parliament who have knowledge of that type of material to take it directly to the police and allow them to act on it. It is the duty of any member of the public, and especially a member of Parliament, who has knowledge of anything of that nature to go directly to the police.

In relation to the other matters raised in the question, I understand that the persons in possession of that ammunition have a licence for weapons of that calibre, and they are quite entitled to possess that ammunition.

Mr Catania: For semiautomatic rifles?

Mr WIESE: The member for Balcatta should talk to somebody who knows something about firearms. There is no ammunition specifically for semiautomatic rifles. Some ammunition can be used for both types of firearms, and the member will be well aware that semiautomatic weapons cannot be brought into or licensed in Western Australia. Obviously, the person has a licence for a weapon of that calibre and is entitled to have that ammunition, otherwise he would have faced further charges relating to possession of that ammunition.

All members in this Parliament should be more concerned about the other matters raised in the question asked in the upper House, relating to the recent decision of

a court to uphold an appeal against the police decision not to grant a licence for concealable weapons - revolvers. After a four day hearing the court upheld an appeal to allow two of the people referred to in the question to obtain a licence for concealable weapons for use when hunting. This Parliament should be aware of the types of weapons we are dealing with; one is a .357 magnum revolver and the other is a .44 magnum revolver - both for use when hunting. The Police Department has managed to control this area, despite many attempts to break down that legislation over a long period. This court decision is a matter of real concern to me, and it should be to everybody in this Parliament. I have instructed my staff to liaise with the Police Department and the legislation will be reviewed to see whether there is a way in which we can be assured -

Mr Catania: You have been promising that review for two years Minister.

Mr WIESE: Members opposite have been doing a review since 1982. Those matters are now the subject of discussion between me and the Commissioner of Police, and if there is some way in which we can ensure that these types of licences cannot be applied for, we will add those amendments to the amendments that I am progressing through the Parliament.

JUSTICE, MINISTRY OF - JUVENILE JUSTICE DIVISION
Community Programs, Peel Electorate, Funding

163. Mr BLOFFWITCH to the Attorney General:

I note that the member for Peel claimed in his reply to the Governor's speech that the Government had cut community programs in his electorate. Does the juvenile justice division of the Ministry of Justice fund any current community programs in the Peel electorate?

Mrs EDWARDES replied:

Mr Speaker -

Mr Marlborough interjected.

The SPEAKER: Order! Member for Peel, cease interjecting.

Mr Marlborough interjected.

The SPEAKER: Order! I formally call to order the member for Peel for the first time.

Mrs EDWARDES: I am pleased to advise the member for Peel that currently in his electorate four community programs are being assisted by the juvenile justice division. The first program is the Rockingham automotive skills training program, which is similar to a new program which was started in Kalgoorlie, and also to one which is run at Wangara. That has been a very effective program in dealing with juveniles aged 12-17 years and not only gives them the opportunity to learn automotive skills and find jobs with those skills but also provides for positive recreational pursuits, such as speedway activities.

We also provide a grant to the Yangebup Youth Group -

Mr Marlborough: Have you visited that program? You have not.

The SPEAKER: Order! Member for Peel.

Mrs EDWARDES: I hope the member for Peel will, as the local member, support that youth group, which represents a cooperative arrangement between the Ministry of Justice and the City of Cockburn to address the needs of youth at risk in Yangebup. The Ministry of Justice also supports the Yonga Aboriginal Corporation's alternative secondary education program with the provision of funds for a bus service. That program, which is a joint venture initiative between Yonga and the Ministry of Education, is well attended and is proving to be quite successful. The Ministry of Justice has also provided funding to the City of Cockburn for the appointment of an assistant youth coordinator for a community-

based support service which operates from the Spearwood Youth Resource Centre. In addition, the Rockingham Youth Services Development Corporation has submitted an application for funding to start a new program to help disadvantaged youths at risk to gain access to constructive recreational pursuits and other support services. Discussions are presently under way between that organisation and the Ministry of Justice to examine the potential for that service to meet the increasing needs of youth in the Rockingham area.

Mr Marlborough interjected.

The SPEAKER: Order! I formally call to order the member for Peel for the second time. Different people have different ideas about what is a long answer and what is not, but members should know that I carefully keep time notations in regard to answers, and I am following that process, and my predecessor used a similar arrangement. It may be that members are sometimes keen to get on to the next question, but I do allow a certain amount of time, and that will continue.

Mrs EDWARDES: If the member for Peel would like to support that application for an important program to deal with youth in that area, I would be pleased to receive a submission from him.

MAILWEST - PRIVATE SECTOR CHARGES, FOUR TIMES NORMAL RATE

164. Mrs HENDERSON to the Minister for Public Sector Management:

I refer to the Minister for Services' admission on Tuesday, in answer to a question on notice, that last financial year MailWest saved taxpayers \$7.5m. The Minister indicated also that in line with the McCarrey report, the Government intended to test the market with a view to contracting out mail delivery services between government agencies and departments.

- (1) Is the Premier aware that under the Australian Postal Corporation Act, a private contractor delivering mail must charge at least four times the standard rate of postage for articles weighing less than 250 grams?
- (2) Is he aware that MailWest is exempt from this rule?
- (3) Will the Premier instruct the Minister for Services not to contract out mail delivery services in view of the likely fourfold increase in costs to WA taxpayers?

Mr COURT replied:

- (1)-(3) I think the member has just given me a good reason why we should refer this to the Hilmer people. Is she saying that there are federal government practices in place which mean that the private sector must charge four times the normal rate? If I understand what the member is saying, it is of concern to me and it is something I will follow up with the Federal Government.

ROADS - MOONDINE DRIVE, WEMBLEY, EXTENSION

165. Mr STRICKLAND to the Minister for Planning:

Has the Minister seen the item on page 2 of this week's edition of the *Cambridge Post*, which refers to a proposal to extend Moondine Drive, Wembley? Will the Minister inform the House of the status of the proposal and what steps are being taken to protect wildlife in the Herdsman Lake area?

Mr LEWIS replied:

Yes, I have seen that article. I think everyone would agree that the protection of Herdsman Lake and its wildlife is an ongoing objective of the Western Australian Planning Commission, as it was for the former State Planning Commission when it was operating under the jurisdiction of the previous Labor Government. Long-term plans were put in place some years ago to create and build a wildlife habitat there which would sustain, conserve and protect that wildlife. In that

regard, the welfare of the water birds that live there is, of course, of major consideration in relation to any construction or development work that is happening in that area.

The article mentioned that the area attracts a great number of water birds. That in itself is testimony to the success that the Western Australian Planning Commission and the former State Planning Commission have had in turning that area into a sanctuary, particularly for bird wildlife. With regard to the redevelopment of the Herdsman's Hotel site and the extension of Moondine Drive, these have not been considered in isolation, as perhaps the article suggested. It should be noted that there was an amendment to the City of Stirling town planning scheme No 2. That amendment was advertised in the normal course of rezoning and it attracted only two submissions.

Mr Kobelke: When was it advertised?

Mr LEWIS: Last year. The City of Stirling and the then State Planning Commission considered that amendment and recommended to me as the Minister that the amendment should proceed. The extension of Moondine Drive was also considered by the commission in the normal manner, and the commission formed the opinion that the development did not conflict with the objectives of the Herdsman Lake regional park, and it was subsequently approved. The redevelopment of the site is not a matter under the jurisdiction of the Planning Commission. It is a matter for the Stirling City Council, which has jurisdiction over those sorts of approvals. In conclusion, I can assure this House that the Government remains absolutely committed to the protection of significant wildlife at Herdsman Lake and to the ongoing improvement of that area.

REGISTER OF FOREIGN LAND OWNERSHIP - ESTABLISHMENT
Japanese Terrorist Organisation, Property Ownership

166. Mr KOBELKE to the Premier:

I refer to recent revelations that a Japanese terrorist organisation purchased a sheep station near Leonora and tested the poisonous gas Sarin on this property prior to using the gas in terrorist attacks in Japan. I refer also to the private member's Bill introduced in 1992 by the now Minister for Primary Industry aimed at establishing a register of foreign land ownership. Will the Government establish a register of foreign land ownership which will assist law enforcement agencies in preventing terrorist groups from establishing a base in this State?

Mr COURT replied:

The titles system registers the owners of all properties in Western Australia. I do not think that a foreign register has been progressed. I do not quite see the connection between the two, in that any terrorist organisation could own property in any name. I am sure that sort of organisation would go to great lengths to try to cover up that ownership. Terrorist activities are of great concern, and from what I have been told the responsible authorities, such as the Australian Customs Service, have done as good a job as they can to try to keep records on the movements of people. The member's question highlights the fact that in a State with a huge land mass that is sparsely populated these sorts of issues can quite easily arise. It is important that not only the State Government but also the Federal Government are forever vigilant in these matters. That is particularly hard in matters of defence and coast watch activities in trying to control the importation of drugs etc. Some of those issues would be more important and relevant than the one that the member for Nollamara has raised.
