



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
THIRD SESSION
1999

LEGISLATIVE ASSEMBLY

Tuesday, 10 August 1999

Legislative Assembly

Tuesday, 10 August 1999

The Legislative Assembly met at 11.00 am.

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

PROCLAMATION

The Clerk of the Assembly (Mr P.J. McHugh) read the proclamation of His Excellency the Lieutenant Governor and Deputy of the Governor (Hon David Kingsley Malcolm, AC) summoning the third session of the Thirty-fifth Parliament.

PARLIAMENT, NEW BELLS

THE SPEAKER (Mr Strickland): While we have a moment before proceeding, I advise that the bell sounds for the Chambers have been altered. Members will have heard the new bells this morning. It is now easy to distinguish clearly between the bells for each House. The Assembly bells are a single tone, regularly repeated, while the Council bells are an alternating dual tone. When both bells are rung together, the speed at which they ring is considerably increased. Interim short recordings will be used over the next two weeks, and the final recording will be installed during the next break.

SUMMONS FROM THE GOVERNOR

The Speaker and members, in response to summons, proceeded to the Legislative Council Chamber and, having heard His Excellency deliver the opening speech (see Council report preceding), returned to the Legislative Assembly Chamber.

OPPOSITION, MANAGER OF BUSINESS

DR GALLOP (Victoria Park - Leader of the Opposition) [11.40 am]: I announce to the Parliament that the position of manager of opposition business in the House will now be held by the member for Nollamara, and this has caused a few changes in the seating arrangements.

BILLS - ASSENT

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

1. Australia Acts (Request) Bill 1999.
2. Appropriation (Consolidated Fund) Bill (No 1) 1999.
3. Appropriation (Consolidated Fund) Bill (No 2) 1999.
4. Loan Bill 1999.
5. Year 2000 Information Disclosure Bill 1999.
6. Federal Courts (State Jurisdiction) Bill 1999.

LOAN BILL 1999

Returned

Bill returned from the Council without amendment.

NUTRI-METICS SITE, REDEVELOPMENT

Petition

Dr Gallop (Leader of the Opposition) presented the following petition bearing the signatures of 759 persons -

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

We the undersigned petitioners call on the State Government and Parliament to oppose the high rise development application received for the Nutri Metics site, bounded by Albany Highway, Oswald Street, Hordern Street and Armagh Street Victoria Park, in that it is out of scale, out of character and sets a dangerous precedent for the future residential and commercial development of Victoria Park.

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

[See petition No 1.]

EXECUTIVE DIRECTOR OF NURSING AND MIDWIFERY SERVICES, PRINCESS MARGARET HOSPITAL FOR CHILDREN AND KING EDWARD MEMORIAL HOSPITAL FOR WOMEN

Petition

Dr Constable presented the following petition bearing the signatures of 57 persons -

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

We, the undersigned wish to express our opposition to the decision taken by the Metropolitan Health Services Board to abolish the position of Executive Director of Nursing and Midwifery Services at Princess Margaret and King Edward Memorial Hospitals. The loss of this leadership role at executive level is seen as detrimental to the profession of nursing and midwifery in Western Australia. We ask that this decision be reviewed and that the position is reinstated at Princess Margaret and King Edward Memorial Hospitals forthwith.

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

[See petition No 2.]

STREET PROSTITUTION, STIRLING STREET

Petition

Ms Warnock presented the following petition bearing the signatures of 92 persons -

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

We, the undersigned wish to make clear our objections to Street Prostitution in Stirling Street and we call on the Government to urgently address the causes and effects of Street Prostitution.

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

[See petition No 3.]

HIGH LEVEL NUCLEAR WASTE REPOSITORY

Petition

Ms McHale presented the following petition bearing the signatures of 196 persons -

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

We, the undersigned residents of Western Australia are totally opposed to the Pangea proposal to locate a high level nuclear waste dump in Western Australia.

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

[See petition No 4.]

ROAD TRAINS, INCREASED LENGTH PROPOSAL

Petition

Ms MacTiernan presented the following petition bearing the signatures of 116 persons -

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

We, the undersigned residents, employees and business people of Armadale-Kelmscott absolutely oppose both the Government plans to increase the length of road trains to 36.5 metres and their use on our streets. We oppose the huge vehicles travelling through our streets as they: 1) Threaten the safety of road users and pedestrians; and 2) Increase air and noise pollution. We urge the Government to take steps to get heavy haulage back on rail and to extend the Tonkin Highway as a matter of priority.

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

[See petition No 5.]

AUSTRALIND BYPASS, COMMISSIONER FOR PUBLIC SECTOR STANDARDS REPORT

THE SPEAKER (Mr Strickland): I have for tabling a letter from the Commissioner for Public Sector Standards regarding his report of inquiry into the Main Roads Western Australia Australind bypass. The letter, which is dated 8 March 1999, was inadvertently not tabled in this House but was tabled in the Legislative Council in March this year. I direct that a copy of this letter be placed with the original report.

HORTICULTURAL PRODUCE COMMISSION AMENDMENT BILL 1999

Leave to Introduce

MR COURT (Nedlands - Premier) [12.03 pm]: In order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, I move -

That leave be given to introduce a Bill for an Act to amend the Horticultural Produce Commission Act 1988; to validate certain appointments and acts; to enact transitional provisions; and to amend the Constitution Acts Amendment Act 1899 and the Financial Administration and Audit Act 1985.

Question put and passed; leave granted.

Introduction and First Reading

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

GOVERNOR'S SPEECH

Distribution of Copies

THE SPEAKER (Mr Strickland): Accompanied by honourable members of this Chamber, I attended His Excellency The Governor (Major General Philip Michael Jeffery, AC, MC) in the Legislative Council Chamber to hear the speech which His Excellency was pleased to deliver to members of both Houses of Parliament. For the sake of greater accuracy, I have caused printed copies of the speech to be distributed among members of this Chamber.

ADDRESS-IN-REPLY

Motion

MRS HODSON-THOMAS (Carine) [12.04 pm]: I move -

That the following Address-in-Reply to His Excellency's speech be agreed to -

May it please Your Excellency -

We, the Legislative Assembly of the Parliament of the State of Western Australia in Parliament assembled, beg to express loyalty to our most Gracious Sovereign, and to thank Your Excellency for the speech you have been pleased to address to Parliament.

The Governor has taken us on a journey highlighting change. The centenary is the ideal opportunity for us to reflect on achievements and to examine our priorities. In a previous life - life before politics - I worked, as many members know, in the marine industry. The ocean was a significant part of my life. That presence continues today as my electorate of Carine has some of the State's, if not Australia's, most beautiful beaches. Even our oceans have changed over a hundred years. The life they support, and our interaction with the water and technology have given us greater knowledge of and access to this resource.

The Governor said in his speech in the other place that he is coming to the end of his term of public office, but I am just getting out of the starting blocks. With 968 political days spent, I can see a long road ahead with many challenges. We are at a time of greater accountability, with access to so much information. People question and openly state their opinions, but above all they want to be informed on the full gamut of issues that have been, or are about to be, introduced by the Government. Nowhere has this been more evident than with the Regional Forest Agreement. A great deal of information has been presented to the community by a whole host of agencies and interest groups. There has been considerable debate, and managing an emotive issue like the Regional Forest Agreement has shown us all that reaching compromise has pain. None of us likes pain. However, governments must make educated decisions based on considered facts, taking a short, medium and long-term view.

It was a clear parallel when the Premier likened his reassessment of the Government's Regional Forest Agreement to the challenge the Prime Minister faced with the tax reform package. In both cases I was reminded of the ongoing need to listen to others, sometimes adapting, and to recognise the views of others for the common good and in the name of good management. Being flexible is not a sign of weakness but, rather, a show of strength, especially when one is prepared to respond to the community.

Already in my short parliamentary career I have come to appreciate the value of being a good listener. I feel privileged to serve my community and I am comfortable with the broad diversity of understanding which is required. I am truly fortunate in being the member for Carine. It is an electorate of wide and diverse views. Above all, I have benefited enormously from the contributions of the Carine community. It is a wonderful group of people.

As the daughter of European migrants who came to Australia in the early 1950s in search of a better way of life, I now see that the efforts of my parents and others with the same dream have laid the foundations for the values and aspirations evident in my electorate, and no doubt the electorates and communities of other members.

We are all working hard to sustain our livelihoods and families, mindful that we live in a rapidly changing world. To say that we are living in a world that is too fast, too complex and artificial can be an oversimplification. We need to look at what is not changing: The cycle of day and night, the seasons, and our basic requirements for survival - food, water, reproduction, and shelter. We should look to our main sources of inspiration and hope. That is the key to avoiding despair and hopelessness.

I was driving past the popular BMX track in my electorate the other day. My heart lifted to see young people - kids with wheelbarrows and shovels - busily tending to their track, their playground. They were totally engrossed in their task. It looked very much like willing work. Our children continue to surprise us, and can teach us a great deal.

Each of us needs to commit to understanding the issue of youth and illicit drugs. Acceptance that a range of drugs is widely available means that ongoing education of young people and their families is vital. We must approach the issue head on and lift the self-esteem of this valuable and vulnerable group of people. Sporting clubs and community associations give self-worth to young people. We must not lose the next and successive generations to habits that only mask pain without dealing with the true source of conflict.

The recent swearing in of this State's and Australia's first 16 junior councillors is a groundbreaking youth in government initiative. Giving young people the opportunity to participate in law-making processes at local, state and federal government level is commendable. It is the first program of its kind, and it is about empowerment. It gives young people the opportunity, the responsibility, the tools and the room to learn and grow. We can provide those gifts.

Youth are concerned about their public image and the few who give them a bad reputation. The feeling that has been expressed to me is that many young people have the view that wider society believes that youth are below them, and as a consequence do not fully understand or appreciate the problems that young people face. The broad view seems to be, "Get to know us a bit better; develop a respect for our generation. We all deserve the right to earn respect." In Carine we are trying to encourage and recognise the efforts of young people in community service and to make certain they are acknowledged and recognised. We hope to shift public perception and value the contributions of our youth. They are our leaders of tomorrow. It is in everyone's best interest to work together to develop a tolerant and harmonious society that will be made even more significant as we embrace the new millennium.

I have no doubt that the family is the foundation of our electorates and of our society. The search for community is a modern preoccupation. Where are our formal and informal associations? Our busy lifestyle means that we must have priorities. As a consequence, we all make good and bad decisions. However, we must not be alienated from giving a helping hand where it is needed and from noticing the people and the tasks that really matter. Protecting and providing a safe and secure lifestyle for our seniors should be a whole of community task.

We are extremely resourceful in analysing our quality of life. We have been quite successful in identifying opportunities that put the daily necessities of work, food, shopping and socialising within walking or cycling distance. We are now forming friendships and business relationships via cyberspace. However, the family is still the key to social harmony, and the way towards a secure and harmonious future.

Families are under increasing stress. The population is ageing. Family structure is more diverse. Traditional caregivers are increasingly participating in the paid work force. We know that the number of one-person households and one-parent families has grown, and there has been an increase in the number of couple-only families. We know that strong, well-functioning families have a big role to play in preventing juvenile crime. Therefore, the Government's economic and social policies will continue to reflect sound family values. We must continue to focus on strengthening our families.

I am encouraged by the Government's recognition of the importance of the family unit. This issue will gain momentum as we look to the new century. Problems within our families are on the rise due to poor communication, difficulties with decision making and expression of feelings. As the Governor highlighted today, many concerns must be faced in the next 100 years. However, by focusing on the education, the safety and the wellbeing of the people we serve, we have a chance, a real opportunity, to shape a future which is modern, productive and protective of the values that we hold most dear. There is no time to be cynical. I have always believed that when we really consider what it means to succeed at something, it is about following through. Together we have the trust of the people and the power to make a difference.

MR MacLEAN (Wanneroo) [12.20 pm]: I formally second the motion.

Debate adjourned, on motion by Dr Gallop (Leader of the Opposition).

DEPUTY CHAIRMEN OF COMMITTEES

Appointment

THE SPEAKER (Mr Strickland): I advise members that I nominate the following members as deputy chairmen of committees for the present session: The member for Bunbury (Mr Osborne), the member for Carine (Mrs Hodson-Thomas), the member for Joondalup (Mr Baker), the member for Kalgoorlie (Ms Anwyl), the member for Mitchell (Mr Barron-Sullivan), the member for Ningaloo (Mr Sweetman), the member for Southern River (Mrs Holmes), and the member for Thornlie (Ms McHale).

[Questions without notice taken.]

SELECT COMMITTEE OF PRIVILEGE, MINISTER FOR FAMILY AND CHILDREN'S SERVICES

Standing Orders Suspension

MR CARPENTER (Willagee) [12.54 pm]: I move, without notice -

That so much of standing orders be suspended as is necessary to enable the following motion to be moved forthwith -

That a Select Committee of Privilege be established to investigate and report on -

- (a) The truthfulness of the Minister for Family and Children's Services in stating to the House on 1 July 1999 that "Professor Uchtenhagen also told us about the enormous political pressure he was under from the Swiss Government to come up with positive results in the (Swiss heroin) trial", and her other similar statements;

- (b) the extent to which the minister's statement or statements impugned the reputation and the scientific integrity of Professor Uchtenhagen;
- (c) the degree to which the privileges have been abused and the reputation of the House has been eroded by the minister's statement; and
- (d) an appropriate form of apology or other actions required to uphold the privileges and reputation of the Western Australian Parliament.

It is my understanding that a member of Parliament who deliberately misleads the Parliament should take the first available opportunity to correct that misleading.

Points of Order

Mr BARNETT: Mr Speaker, this is a motion to suspend standing orders. That is the only matter that should be discussed. A matter of privilege is an important matter, and the member should have some respect for members of Parliament, particularly the responsible minister.

Mr KOBELKE: Mr Speaker, that is not a point of order. The speaker has hardly risen to his feet. The standard practice in this House, which the Leader of the House seems to have forgotten, is that the member obviously must address the motion to suspend standing orders, but in order to do so, should have at least five to 10 minutes to outline why it is so important, particularly on the first day of a parliamentary sitting, that this matter should be brought before the House and resolved.

The SPEAKER: Order! The practice of the House has been to give members a short amount of time in which to explain what their motion is about. The standing orders also say that members should talk to the motion which is before the Chair, which is to suspend standing orders. A small amount of discretion has always been given by the Chair, but we expect members to talk substantially about the urgency and the reasons that they wish to suspend standing orders.

Debate Resumed

Mr CARPENTER: I understand that a member of Parliament who deliberately misleads the Parliament should take the first available opportunity to correct the record. Today has been that opportunity for the Minister for Family and Children's Services, with responsibility for the state drug strategy, to correct her misleading of the Parliament. The minister has not taken that opportunity, hence I have moved this motion. What the minister has done is a serious breach of the privileges of the Parliament, because she has effectively presented a completely false scenario to this Parliament about an official visit that she took to another country, that being Switzerland. The minister has impugned the integrity of one of the leading medical scientists in this field in the world, and he was amazed when I passed on to him the comments that the minister had made about his program. It is simply not acceptable for any member of Parliament to behave in that way. When members of Parliament go overseas - and in this case, we must remember that the minister was absent overseas for a couple of weeks while the Parliament was sitting - we can at least expect that their report of their visit overseas will be an accurate representation of what they saw and heard; but in his case, it was not.

This matter arises out of several comments that the minister made in this place on Thursday, 1 July, the final sitting day of the last session of Parliament. The minister made a short ministerial statement to the Parliament outlining the results of her trip to Sweden, Italy and Switzerland. In the process of making that speech, the minister said that in Switzerland, having visited a heroin prescription clinic -

Point of Order

Mr BARNETT: Mr Speaker, again I make a similar and related point of order. The motion before the House is whether we should suspend standing orders. That is the only motion. It is open to the Opposition, if it wishes to have a committee of privilege, to give notice of motion, and under Standing Order No 213 that will be given precedence tomorrow.

The SPEAKER: Order! I will not after this very short time interrupt the member's speech, but we are all well aware that the speech must be about the need to suspend standing orders.

Debate Resumed

Mr CARPENTER: Mr Speaker, it is necessary to suspend standing orders because of the urgency of the situation. A minister of this Government has deliberately made not one, but several, false statements to this Parliament about a very contentious issue in the community in Western Australia, and, as a matter of fact, in the community in many parts of the world, where the prospect of a Swiss-style heroin trial is being considered seriously. People are looking at the model that was developed in Switzerland as a potential example of the sorts of programs they can implement in their own countries. The minister in this Parliament who is responsible for this area has made false statements which seek to deliberately undermine the value of the project that was undertaken in Switzerland. That is an amazing thing for a member of Parliament to do, and the minister should not be allowed to get away with it. That is why I have moved in this way.

Minister Parker said in her ministerial statement on this matter on 1 July -

after . . . speaking to Professor Uchtenhagen, who was responsible for the scientific design of the Swiss trial, the Zurich Police Chief Operations and Planning, and a World Health Organisation official, my concerns about a heroin trial have been further strengthened.

It surprised me that the minister could make that sort of statement in the House, because I knew what Professor Uchtenhagen's report on the trial was; and it was a very positive report. Members of Parliament can find that report if they

want to, and they only need to look at his conclusions and final recommendation to see that the professor is fulsome in his praise of the program and recommends that it continue in his country, yet the minister responsible for the drug strategy in this State has purported to have met with the professor and to have had reaffirmed her view that the program is wrong. The minister said also in a written report that -

The SPEAKER: Order! We have now had five minutes, and I believe the member for Willagee is getting more into the substance of the debate that he is seeking to have and that may follow. I remind the member that he does need, as difficult as it may be, to speak to the motion to suspend standing orders.

Mr CARPENTER: The motion seeks to establish a Select Committee of Privilege to investigate and report on the truthfulness of the minister's statements in this Parliament. That is why I am moving to suspend standing orders. A Select Committee of Privilege could investigate whether the minister has accurately reported to this Parliament or given a deliberately false report. That is why we are moving the motion. In her written report the minister wrote that the professor had told her that he had been under enormous political pressure to come up with positive results of the trial. That is simply a false statement. The Parliament of Western Australia should not accept that false statements like that can stand unchallenged in the *Hansard*. The matters should be dealt with immediately in the way that I am outlining in the motion by a Select Committee of Privilege.

I seek to investigate the extent to which the minister's statements have impugned the reputation and the scientific integrity of Professor Uchtenhagen. I will tell members what Professor Uchtenhagen said when he was emailed the minister's comments. He said -

I remember the visit of Mrs Rhonda Parker. I provided her with ample information on the questions she raised. I definitively made no allusion of any kind to political pressure influencing the result of our evaluation research. A statement such as mentioned by you is a severe attack on my scientific integrity as well as on my common sense. I am prepared to testify for this if your parliament invites me do so.

The SPEAKER: Order! I think it is proving too difficult for the member for Willagee, unless he has some new arguments, to continue to debate the need for suspending standing orders. Everyone in the House can see that the member is trying to put forward the substance of the debate to support his motion to suspend standing orders. Unless the member has more reasons in support of his motion to suspend standing orders, I will ask him to finish.

Mr CARPENTER: The minister's statements were made in this Parliament on 1 July. Subsequently, there has been a long winter's break during which time those statements have stood unchallenged in the parliamentary record and have been reported upon in the national media by *The Australian*. This is the first day on which the Parliament has the opportunity to move to ascertain whether the minister's statements are correct or whether a breach of the privileges of the Parliament and an attack on the integrity of the scientist who oversees the Swiss heroin trial have occurred. It is an opportunity to set up the committee and to allow for an apology, if the minister should so choose, to the scientist involved. It is unthinkable that the statements should be allowed to stand as they are - unchallenged in the Parliament.

Last night when I spoke to Professor Uchtenhagen on the telephone I was embarrassed. I asked myself what sort of a place he must think Western Australia is when a minister of the Government of the State who visited him, allegedly in good faith to absorb information on a very detailed and important scientific trial, could come back to the Parliament of Western Australia and make a completely false report of what she has seen. What does Professor Uchtenhagen and other people around the world involved in this area of medical treatment think when that sort of activity is condoned by the Parliament, because on the first day that we are able to take steps to correct her misrepresentations, the Parliament argues about whether it should. The minister has made deliberately false statements. The Parliament has a responsibility to recognise that and to do something about it.

The SPEAKER: Order! We should not be debating the motion itself. I caution members that once a motion is before the Chair, a range of things may be said. However, members must be careful not to impugn other members when the motion is not before the Chair. Members must be very careful about what they say.

MR BARNETT (Cottesloe - Leader of the House) [1.06 pm]: A move to set up a Select Committee of Privilege is a very serious action and not something that should be trivialised in this Parliament. There are all sorts of opportunities for members to raise substantive issues by way of motion. To take the further step and establish a committee of privilege is by any parliamentary standard a grave action which should be undertaken carefully and with a sense of responsibility. Unfortunately that is not being done today.

Dr Gallop interjected.

The SPEAKER: Order!

Dr Gallop interjected.

The SPEAKER: Order! I will formally call the Leader of the Opposition to order because he is interjecting incessantly.

Mr BARNETT: This is also the opening day of Parliament. Although that has occurred with less of the pomp and ceremony of previous years, it is nevertheless a day on which His Excellency the Governor has visited this Parliament and on which we should normally adopt a sense of propriety and good manners. If the Opposition believes that this is an important issue, and I have serious doubts about whether it is - yes, this is the first opportunity for it to be raised - the proper, responsible and indeed parliamentary thing to do is to give notice of the motion. That is all the member had to do. Under Standing Order No 213 it would have precedence for debate for tomorrow and I would have cooperated with that.

This has been a very shallow exercise on the opening day. It has been a breach of the convention of this Parliament; it has been an attempt to impugn the minister responsible; and it has been done in a most unparliamentary and ungracious manner. If the Opposition wishes to move for a committee of privilege, the Government will be prepared to debate that. The Opposition is misusing the committee of privilege vehicle. This matter does not warrant it. If the Opposition wishes to move that, it will bear the consequences of so doing. However, we will not do it on the opening day of this Parliament and break with tradition. If the Opposition still has the desire to do it, we will deal with it tomorrow.

House to Divide

Mr BARNETT: Under Standing Order No 159 I move -

That the House do now divide.

Question put and a division taken with the following result -

Ayes (32)

Mr Ainsworth	Mr Cowan	Mr Kierath	Mr Prince
Mr Baker	Mr Day	Mr MacLean	Mr Shave
Mr Barnett	Mrs Edwardes	Mr Marshall	Mr Sweetman
Mr Barron-Sullivan	Dr Hames	Mr Masters	Mr Trenorden
Mr Bloffwitch	Mrs Hodson-Thomas	Mr McNee	Mr Tubby
Mr Board	Mrs Holmes	Mr Minson	Mrs van de Klashorst
Mr Bradshaw	Mr House	Mr Nicholls	Mr Wiese
Mr Court	Mr Johnson	Mrs Parker	Mr Osborne (<i>Teller</i>)

Noes (21)

Ms Anwyl	Mr Graham	Mr McGinty	Mr Ripper
Mr Brown	Mr Grill	Mr McGowan	Mrs Roberts
Mr Carpenter	Mr Kobelke	Ms McHale	Mr Thomas
Dr Constable	Ms MacTiernan	Mr Pendal	Ms Warnock
Dr Edwards	Mr Marlborough	Mr Riebeling	Mr Cunningham (<i>Teller</i>)
Dr Gallop			

Question thus passed.

Motion Resumed

Question put and a division taken with the following result -

Ayes (21)

Ms Anwyl	Mr Graham	Mr McGinty	Mr Ripper
Mr Brown	Mr Grill	Mr McGowan	Mrs Roberts
Mr Carpenter	Mr Kobelke	Ms McHale	Mr Thomas
Dr Constable	Ms MacTiernan	Mr Pendal	Ms Warnock
Dr Edwards	Mr Marlborough	Mr Riebeling	Mr Cunningham (<i>Teller</i>)
Dr Gallop			

Noes (33)

Mr Ainsworth	Mr Day	Mr MacLean	Mr Prince
Mr Baker	Mrs Edwardes	Mr Marshall	Mr Shave
Mr Barnett	Dr Hames	Mr Masters	Mr Sweetman
Mr Barron-Sullivan	Mrs Hodson-Thomas	Mr McNee	Mr Trenorden
Mr Bloffwitch	Mrs Holmes	Mr Minson	Mr Tubby
Mr Board	Mr House	Mr Nicholls	Mrs van de Klashorst
Mr Bradshaw	Mr Johnson	Mr Omodei	Mr Wiese
Mr Court	Mr Kierath	Mrs Parker	Mr Osborne (<i>Teller</i>)
Mr Cowan			

Question thus negatived.

ADJOURNMENT OF THE HOUSE

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

That the House at its rising adjourn until Wednesday, 11 August at 12.00 noon.

House adjourned at 1.18 pm

QUESTIONS WITHOUT NOTICE

BELLTOWER AND CONVENTION CENTRE

1. **Dr GALLOP to the Deputy Premier:**

My question relates to the National Party's budget policy. I refer the Deputy Premier to his headline-grabbing claims that projects like the Premier's belltower and convention centre were luxuries that the State could not afford and that a mini budget was urgently needed.

- (1) What specific undertakings were given at yesterday's cabinet meeting that converted the Deputy Premier from a spending watchdog to a Liberal lapdog in just two and a half hours?
- (2) Is the Deputy Premier still opposed to the priority being given to these projects?

Several members interjected.

The SPEAKER: Order, members! I heard what the member for Rockingham said, and I caution him.

Mr COWAN replied:

- (1)-(2) I can and should respond to some of the issues raised, although the Leader of the Opposition, as has been the wont of the Opposition for some time now, used words which are not appropriate to describe certain matters. I said that it was likely that the State Government would need to review its budget. From that position, an animated discussion took place in Cabinet yesterday about that matter. I have been given an assurance by the Premier and Treasurer that those issues about which I have concerns will be given the consideration they deserve, and that the need for the State to deliver on those core services of government will be met. I was very satisfied with that reassurance and statement made by the Premier. It is appropriate that one can make statements about such things at one's own conference.

Dr Gallop: Conference? There were about 10 people there!

Mr COWAN: I wish the Leader of the Opposition would gather his facts before he makes an assertion of that nature - he knows it to be wrong. I look forward to the day when the Labor Party is prepared, and has the guts, to hold its own annual conference. The Leader of the Opposition might care to tell the House when the Labor Party held its last annual conference. He has not been prepared to hold one. I raised some issues, which were debated in Cabinet, and I am satisfied that some of those matters are being properly attended to, as they should be.

DERBY TIDAL POWER PROJECT

2. **Mr BAKER to the Minister for Energy:**

I refer to the recent Environmental Protection Authority report and the power procurement committee's recommendations concerning the proposed Derby tidal project hydro-electric generation station. Will the minister please confirm that the Derby tidal power scheme has considerable merit, and that he is endeavouring to further progress its development?

Mr BARNETT replied:

I thank the member for his question. The Derby tidal project has considerable merit. All members of the community are attracted to, and supportive of, renewable energy. However, in assessing the process in the Kimberley, 12 initial expressions of interest were made. An open, competitive process took place, into which all parties willingly and openly entered. The criteria for the project covered a number of things, including, most importantly, the cost of power generation, environmental management, reliability of supply, financial arrangements, the ability to put the project together, and reliable and comprehensive management. Following that process, two consortia - namely, Energy Equity Corporation-Woodside Energy Ltd and Wesfarmers Energy-StateWest Power - were ranked on a number of criteria as the top two bidders, and they are now negotiating for the contract for the power supply for that area. Another two proposals, including the tidal project, were placed in a reserve capacity.

I will not criticise the tidal project, but I place some facts on the record: The tidal project started with a capital cost of \$80m, and the latest estimate is \$360m. To even match the other proponents on only one criterion - namely, price of electricity - the tidal project would require a government subsidy of \$120m. Other issues arise, such as the reliability of supply and susceptibility to damage to transmission lines. We could build 26 primary schools for \$120m, which is a substantial amount of money.

Much has been said about the environmental benefits of the tidal project, and environmental benefits are involved. However, the tidal power project also requires stand-alone diesel backup plants in each of the associated towns. The other two bids are based on natural gas, which has half the greenhouse gas emissions of diesel projects. Many community benefits are associated with the tidal project. Members opposite might also be interested to know that the gas proposals offer far greater opportunities to provide a low cost, reliable and clean power supply to major Aboriginal communities in the Kimberley. That option is not available under the tidal project.

Several members interjected.

The SPEAKER: Order! The member for Armadale has made six interjections and we are on only the third question.

REVISED FOREST PLAN

3. Dr GALLOP to the Premier:

Can the Premier confirm that Cabinet decisions are made on the basis of unanimity, and that the revised forest plan was a unanimous decision of Cabinet?

Mr House interjected.

The SPEAKER: Order, minister! I intend, if I can, to run question time to its full course. However, if the members who have forgotten the rules want to bring it to a close, they should keep interjecting. This behaviour is unacceptable.

Mr COURT replied:

Cabinet operates with unanimity on all of its decisions.

REVISED FOREST PLAN

4. Dr GALLOP to the Premier:

As a supplementary question, can the Premier confirm that the Minister for Local Government - who is also the member for Warren-Blackwood - supported the revised forest plan?

Mr COURT replied:

The Minister for Local Government did something the Leader of the Opposition is not prepared to do; that is, he went down south to explain to all the work force -

Dr Gallop: He supports the revised plan! He is not being honest with his constituents. That is the truth, Premier.

Mr COURT: The Minister for Local Government supported the revised plan in Cabinet, and explained to the people in Pemberton, Manjimup and Greenbushes why he made that decision. That is something the Leader of the Opposition is not prepared to do. My friend opposite is not prepared to go down to the area and explain his timber policy. I assure members that I was not very popular when I addressed timber workers down south. The people of that area have a lot of respect for the Minister for Local Government, who is their local member, on this matter. However, those people have a total disrespect for what the Labor Party has done. Members opposite are proving themselves to be the anti-workers party.

Several members interjected.

The SPEAKER: Order! If we have one more outburst like that from members on both sides, I will call members formally to order to remind them of the rules.

CARAVAN PARKS AND CAMPING GROUNDS REGULATIONS

5. Mr MASTERS to the Minister for Local Government:

The minister previously announced his intention to amend the Caravan Parks and Camping Grounds Regulations to allow camping in designated roadside rest areas and road reserves in an emergency. Are these regulations in place and, if so, what are the associated rights of caravanners and campers?

Mr OMODEI replied:

I thank the member for some notice of this question and his continued interest in the issue.

On 19 July 1999 the relevant regulations were published in the *Government Gazette*. One amendment allows for stays of up to 24 hours in a caravan or other vehicle in roadside rest areas which are specifically marked for this purpose. A second amendment allows stays of up to 24 hours in a caravan or other vehicles on a road reserve in an emergency situation. These amendments came about after careful consideration of sound submissions from the public. With gazettal of these regulations, caravanners and campers can now stay up to three nights on land with the permission of the owner; up to three months on land with the permission of the owner and the local council; up to 12 months on land with the permission of the owner and the Minister for Local Government; up to 28 days at designated sites in national parks; up to 24 hours in designated roadside rest areas; and up to 24 hours on a road reserve in an emergency situation.

I have generally approved applications by people to camp for up to 12 months on their own land if they are building a house on the land and have a valid building permit. In cooperation with the Roebourne Shire Council, we have resolved the issues relating to Cleaverville and Forty Mile Beach. The council is appreciative of the efforts we have made in coordinating a solution to that problem.

REVISED FOREST PLAN, LEGAL CHALLENGE

6. Mr McGOWAN to the Minister for Local Government:

I refer to the many comments made by the minister about the role of local government in the forest debate, and ask -

- (1) Will the minister support Wilson Tuckey's call for south west councils to mount a legal challenge to the revised forest plan?
- (2) If not, why not?

- (3) Does the minister stand by his claim made on Radio 6PR on 4 August that the National Party has been treacherous in relation to the forest debate?

Mr OMODEI replied:

- (1)-(3) The issue of the regional forest agreement and the revised forest plan announced by the Government has been a very difficult one for me in my electorate bearing in mind that the mills, in particular at Greenbushes and Pemberton, and the associated issues at Bunnings' engineering works are very important to the community. I have always made comments supporting my electorate and I will continue to make those comments.

Dr Gallop: You are a member of the Government and that is a decision you make.

Mr OMODEI: I say to the Leader of the Opposition that in days gone by there was bipartisan support for management plans to manage our forests. Back in 1987 and 1992 when the party the Leader of the Opposition represented introduced management plans, the then Opposition including the National Party - I do not need to speak for the National Party, it can speak for itself - supported those management plans. Since that time, the Leader of the Opposition's party and he in particular as the Leader of the Labor Party - which would have to be a misnomer nowadays as far as supporting timber workers is concerned -

Dr Gallop: You would like to think so.

Mr OMODEI: I always respected those people who belonged to the Labor Party.

Dr Gallop: No, you didn't. You have always poured scorn and abuse on Labor people. Don't rewrite history. Answer the member's question.

Mr OMODEI: I respected the people who belonged to the old Labor Party that supported workers.

Dr Gallop: You wouldn't know one if you saw one. You are too busy developing your own land in Warren. Talk about workers.

The SPEAKER: Order!

Mr OMODEI: The truth is hurting a little bit, is it not?

Dr Gallop: No, it isn't. It is your lack of accountability, minister.

Mr OMODEI: The Leader of the Opposition seized a political opportunity when there may have been some people who would support the stopping of logging of old growth forests. The Government has made a difficult decision and, yes, I reluctantly accept that position. I have made that clear to my colleagues in both the party room and in the Cabinet. However, I have no worries. I will talk to the workers outside Parliament House in a minute and I will repeat those very words to them. While I have breath in my body, I will support those workers and I will continue to represent my community in the best way I think I can.

MINISTER FOR LOCAL GOVERNMENT, RESIGNATION

7. Mr McGOWAN to the Minister for Local Government:

I have a supplementary question. Will the minister carry out his original ironclad guarantee that he will resign from the Liberal Party and the Cabinet on the forest issue?

Mr OMODEI replied:

I do not know what that has to do with the Local Government portfolio. However, I will answer the question. When the Liberal Party had its meeting in Busselton, some people did not have the full facts and made some comments. I said I would consider resigning from the Liberal Party if I did not receive a fair deal for my community. I have repeated that statement on a number of occasions. I remind my colleagues that if we make difficult decisions about the forest industry in my electorate - bearing in mind the Whittakers' decision was the result of the company being in liquidation anyway - I would expect this Government to do all in its power to minimise the impact of job losses in that community. I am currently chairing a consultative committee and all local governments are involved in that committee, if the member wants to refer his question to local government. We have already had one meeting and will continue to meet.

Dr Gallop: You speak with a forked tongue.

Mr OMODEI: That committee has a conduit directly to the Premier and will make announcements about progress made on projects that will minimise the impact of the decision made by the Government.

Several members interjected.

The SPEAKER: I indicate to the House that there is too much interjecting.

SPEEDWAY, PROPOSED NEW SITE

8. Mrs HOLMES to the Minister for Planning:

- (1) Is the minister aware of a statement on ABC Radio yesterday by the Leader of the Opposition about a budget allocation for a proposed new speedway site?

(2) Was this statement accurate?

Mr KIERATH replied:

(1)-(2) Yesterday on ABC Radio the Leader of the Opposition said that there is nothing in the budget for the speedway. Those were his exact words. He did not say there did not seem to be any allocation or - perhaps a more humbler position - "I can't find the figures." He made the dogmatic assertion that there is nothing in the budget for the speedway. I refer members to *Budget Paper No 2*, volume 3, page 1310.

Mr Ripper: Which budget is it, the Liberal budget or the National budget?

Mr KIERATH: I am holding up a blown-up copy so that the member can read it. It says -

The major work commencing this year is the new International Motor Sport Facility, with \$16.0m provided over two years.

Under "New Works" is the estimated total cost of \$16m and \$12.7m to be expended in 1999-2000. The budget papers therefore clearly show an allocation of \$16m in that budget. As a person who either sets himself up or hopes one day to be leading this State - I hope he does not - he cannot read the budget documents, which is embarrassing for the Leader of the Opposition. This Leader of the Opposition is not just a well-educated spokesperson or a person with a university degree; what we have here is a Rhodes scholar who cannot read! At the very least, he cannot even go looking for the information.

I heard the Leader of the Opposition interject a while ago by using the phrase "a forked tongue". I leave it to this House to judge which member of this House actually has a forked tongue.

NATIONAL PARTY'S FOREST POLICY

9. Dr EDWARDS to the Deputy Premier and Leader of the National Party:

I refer to the National Party's forest policy. Does the National Party leader agree with his ministerial colleague and member for Warren-Blackwood that the Nationals have been treacherous in their behaviour during the forest debate?

Mr COWAN replied:

When I was first asked those questions, I made it clear that the minister and member for Warren-Blackwood is in a very difficult position because everything currently is focused on the member for Warren-Blackwood. I made those comments; the member would have read them; I stand by them.

TRAFFIC LIGHTS, WARWICK ROAD AND GLENGARRY DRIVE

10. Mrs HODSON-THOMAS to the minister representing the Minister for Transport:

Has Main Roads included the installation of traffic lights at the busy intersection of Warwick Road and Glengarry Drive in Duncraig in its 1999-2000 program; if so, when is the installation likely to occur?

Mr OMODEI replied:

The minister has provided the following response: Yes; it is anticipated that the installation will take place in the second half of the 1999-2000 financial year.

POWER TARIFFS

11. Mr RIPPER to the Minister for Energy:

I refer the minister to comments by the Deputy Premier on the front page of a Carnarvon newspaper on 28 July when he stated that the Government's present policy on power tariffs is wrong. Has the Deputy Premier since raised his concerns with the minister and, if so, is the minister currently working with the Deputy Premier to change the Government's policy, as he told Carnarvon business people he would be?

Mr BARNETT replied:

After a long public debate, from the beginning of this year we put in place a revised set of arrangements for regional power, in part to address the substantial losses of \$40m in regional areas but, more importantly, to bring forward private sector investment in power generation so that modern power generation, reliable supply and expanded capacity are provided. That process is under way in the Kimberley, the Murchison and Esperance. A major difficulty with power supply in Carnarvon is the cost of gas transport on the 200 kilometre lateral. Currently that subject is open to negotiation. That is the key to addressing the power supply provided to Carnarvon. The Government will not change its policy.

Dr Gallop: That is not what the Deputy Premier told the people of Carnarvon - and he is supposed to be the Deputy Premier.

Mr BARNETT: He may well be. As I said, the Government will not change its policy. There is a policy on regional pricing which, for the first time, is bringing about substantial investment and improved power supplies in regional Western Australia. Yes, there has been some hardship along the way; some large companies have been affected. Through Western Power, we are negotiating individual contracts to make sure the transition is as smooth as possible.

POWER TARIFFS

12. Mr RIPPER to the Minister for Energy:

Does the minister's answer mean that the power tariff rethink promise made by the Deputy Premier is dead?

Mr BARNETT replied:

I will answer any question on my portfolio, but I will not presume to answer for other members of this Parliament, including the Deputy Premier.

REGIONAL DEVELOPMENT

13. Mr BLOFFWITCH to the Minister for Planning:

Recently the newly appointed Opposition spokesman on regional development made some comments on government policy on this subject. Can the minister inform the House of any initiative he has on this subject?

Mr KIERATH replied:

Just recently the newly appointed spokesman for regional development, the member for Pilbara, indicated that he was very strong in regional development and went on to say that he was not aware of any initiatives. He claimed that he has had a strong interest in the development of this State, and that he was not aware of any government initiatives. First of all, I want to point out to him that the final report of the state planning strategy has been tabled in this House before; however, I am happy to table the document again. The page I am holding up indicates the regional development areas across the State. This planning strategy was so good that it won a national award for excellence from the Royal Australian Planning Institute. This document explains that there is orderly development all over this State, and indicates the management priorities of agriculture, primary and potential mineral provinces, marine parks, strategic industrial sites, major gateways for trade, and so forth. The member for Pilbara does not think the strategy exists.

The document also shows designated areas for further strategies to be released. The strategies that have been released include those in Port Hedland, Shark Bay, Broome, the North West Cape, the mid west region, Karratha, the Leeuwin-Naturaliste ridge, the Wilbinga-Lancelin coast, the Peel and the goldfields-Esperance regions. Just so the member for Pilbara can now claim that he is informed, I also seek leave to table a document showing the dates of press releases that I have issued relating to all of those strategies. I am sure he will learn a lesson about various developments. I will give the member for Pilbara the glossy brochure, too, which pulls all that information together, and shows what this Government has been doing.

Mr Graham: I cannot handle the quick movement. I have been done over, Geoffrey!

Mr KIERATH: Since day one in this House, the Premier has supported regional development. The Deputy Premier is very strongly supporting regional development; in fact, I think he has just released a policy on this issue for public comment. We on this side of the House have a very strong commitment to regional development. I worry for the Opposition when its spokesman gets up and says that he is not aware of any regional developments that have occurred in this State. I hope next time he speaks on this matter that he at least does his homework before he embarrasses himself and his party.

[See Papers Nos 58-59].

PROSTITUTION LAW REFORM

14. Mrs ROBERTS to the Premier:

- (1) Can the Premier explain why there is no mention of prostitution law reform in the Governor's opening address to the Parliament?
- (2) Does this omission mean the crucial issue and all of its related crime, corruption, drug, health and planning-related problems will remain unresolved for at least another entire parliamentary session?
- (3) If so, is this yet another example of a divided, stale and dispirited Cabinet being led by a backbench that has no stomach for controversial legislation?

The SPEAKER: Order! One of the rules is that information can be provided as preliminary remarks to a question, which will allow members to understand what the question is about. Sometimes members abuse that licence and put forward all sorts of words that are not necessary to convey their opinion. I will allow the question; however, I remind members to think about how they lead into their questions.

Mr COURT replied:

- (1)-(3) In the previous session, the minister explained that he had been preparing this legislation and was up to the sixth draft; however, he is now working on the seventh draft. It is no secret that we are having difficulty in coming up with legislation that we believe will improve the situation. One concern has been that legislation that goes down some of the paths we are addressing has led to making it easier for organised crime to get a hold in those areas. In the meantime, as members have witnessed, the police have been doing what they can to change their strategies in an attempt to clean up the very open display of street prostitution in the city, for example. In answer to the question: If we can have legislation that we believe will improve the situation, it will be introduced, as the minister explained in the previous session.

DAWESVILLE DEVIATION

15. Mr MARSHALL to the minister representing the Minister for Transport:

The report by Halpern Glick Maunsell Pty Ltd on the proposed Dawesville deviation from south of Port Bouvard to Tims Thicket was recommended on 9 August 1993, six years ago. Can the minister tell the House whether this deviation is on track to be built?

Mr OMODEI replied:

The Minister for Transport has provided the following response -

Main Roads Western Australia has programmed works on the Dawesville deviation to commence in July 2000. The program is expected to be completed in March 2001. The timetable will be to obtain planning approvals from August to November 1999; to complete contract documentation from August 1988 to April 2000; to relocate services from February to July 2000; to start construction in July 2000; and to complete construction in March 2001.

MAIN ROADS WA, PRIVATISATION

16. Ms MacTIERNAN to the Leader of the National Party:

My question relates to National Party policy.

Mr Wiese: You were up there; you should know it all.

Ms MacTIERNAN: I have learned a lot. Will the Leader of the National Party give some real bite to his campaign to eliminate wasteful government spending by instructing his National Party colleague, the Minister for Transport, to reverse his disastrous privatisation of Main Roads Western Australia, which has seen the unit cost of building and maintaining roads more than treble since 1993?

Mr COWAN replied:

I doubt very much whether the member is correct in the allegations that she has just made.

Dr Gallop: She has always been right on every issue she has raised.

Several members interjected.

Mr COWAN: Notwithstanding my doubts, I will ask the Minister for Transport for information about those allegations, and I am sure I will be able to convey that to the member, either directly myself, or through the minister. One thing that does need to be taken into account - and I am sure this is where the member would be in error - is that we have almost trebled the amount of funding for roads.

Ms MacTiernan: That is because the unit cost has trebled. You are not getting anything more.

Mr COWAN: We have trebled the amount of funding in Western Australia for both new roads and road maintenance. The member had better advise her research officers to do more thorough research so that they can differentiate the total amount of expenditure that has produced more kilometres of new roads and far better maintained existing roads, and the National Party is very, very proud of that.

ROADS, UNIT COST PER KILOMETRE

17. Ms MacTIERNAN to the Leader of the National Party:

I ask a supplementary question. I take it then that if the Leader of the National Party does confirm that the unit cost per kilometre lane has been demonstrated to have trebled, he will reverse that policy?

Mr COWAN replied:

I went to some lengths to gently tell the member for Armadale that she was in error, and it appears to me that her listening skills have not improved over the break.

Ms MacTiernan: You said you did not know.

The SPEAKER: Order! That ends question time.
